OUTLOOK
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SEPTEMBER 30, 1931

"Aggressive fighting for the right is the noblest sport the world affords."
—Theodore Roosevelt

WITH OUR READERS

Correction

To the Editor: *Missoula, Mont.*

SIR—I have been a reader of the OUTLOOK for years. Its fairness has impressed me in the past, also its reliability. A deviation from these characteristics occurs in its publication of the statement in the article, "New Styles in Medical Quacks," by Darwin Teilhet, in the issue of July 22, that osteopaths are legalized in some states and outlawed in others. Will you kindly give me the name of a single state in the Union wherein osteopaths are outlawed?

ASA WILLARD.

[*Editor's Note*—In saying that "osteopaths are legalized in some states and outlawed in others," Mr. Teilhet was in error. The practice of osteopathy is legal in all states. The following letter from Mr. Teilhet explains the origin of the misstatement.]

To the Editor: *San Francisco*

SIR—I received my information from a reputable osteopath of this city, who suggested that I mention the way osteopaths were treated, after he read the unfinished article over in manuscript form. I should have gone to a lawyer to check him up as he was evidently behind times with his information, but as I considered that the paragraph—instead of saying anything derogatory—actually expressed sympathy for the plight of the osteopaths, I saw no reason to recheck information obtained from what was apparently a satisfactory source. I hope that Dr. Asa Willard and his fellow osteopaths will accept my apologies.

DARWIN TEILHET.

Plan for Unemployment Relief

To the Editor: *Big Spring, Texas*

SIR—The giving of direct material assistance is the truest charity only where the giving of opportunity for self-help will not meet the urgency of the situation.

President Hoover has appointed a committee to consider the unemployment conditions in this country, and the head of that committee has announced the intention to coordinate the work of all the charitable organizations and agencies of the country and to avoid the need of any direct governmental action, if possible.

There can be no objection to this effort, neither can there be objection to recognizing the possibility, if not probability, of the inadequacy of this plan to meet fully the unemployment condition that winter may bring.

It has been suggested that, in case it is necessary for the government to act, employment should be given on public work at a *minimum wage*, so that the worker will be glad to leave the government job at the first opportunity to get work at standard wages.

Organized Labor may object to this, but the principle of fair wages is not involved. Beggars cannot be choosers. The economic system, the world conditions that have brought us to the present pass, may be all wrong, but "it is a condition, not a theory, that faces us." We may feel strongly that men willing to work, unable to find work, should not be classed as beggars, but the plain fact is they are objects of charity, and the work the government gives them at a minimum wage is given *because* they are objects of charity.

A few years ago President Hoover became acquainted at first hand with the devastation which a Mississippi flood can cause. I understand that government engineers have been considering plans for handling the flood waters so that such devastation shall not occur again. Is not the present a most opportune time to push work on those plans, giving employment at a minimum wage to hundreds of thousands of men who, otherwise, will be idle recipients of charity?

There is nothing in the nature of a dole in this suggestion. Men who work and earn their wages—no matter who pays the wages—are not receiving a dole. Organized Labor may object that these men will be earning more than they receive. Perhaps so, but giving idle men employment at a minimum wage on governmental work, national, state or municipal, where what they earn more than they get will be their contribution toward carrying the country through this crisis, can hardly be classed as unjust, and it will go a long way toward solving the unemployment situation.

There is no thought that this plan is other than a temporary makeshift. The permanent adjustment which shall avoid unemployment in the future involves a thorough overhauling and reorganizing of our methods of distributing the benefits of our civilization. That's another story.

EDWIN G. BROWN.

Acknowledgment

To the Editor: *New York City*

SIR—In book form, when published this fall by Harcourt, Brace & Co., my life of Roosevelt will give full acknowledgment to various publishers upon whose copyrights I have drawn. Since footnotes are not used in the serialized version in the OUTLOOK, it would be courteous, perhaps, for me to acknowledge courtesies extended by Scribner's, Houghton Mifflin, Macmillan, Harper and Brothers, Doubleday, Doran and others. Although he has not requested it, I should also point out that Hermann Hagedorn's *Roosevelt in the Bad Lands* was extensively drawn upon for the second installment.

HENRY F. PRINGLE.

Bouquet

To the Editor: *Lebanon, Ky.*

SIR—You deserve an accolade, in my opinion, for your avowed and fearless antagonism to all forms of bunk, sham, rascality, hokum, rottenness in high places and devils' doings in general. Your spirited but reasoned crusade against the Eighteenth Iniquity alone should bring every right thinking man and woman to your banner. Whatever one may say of Herbert Hoover, he is no fool, and he knows, as you and I and every other intelligent and enlightened person knows, that prohibition is sending the United States to hell on greased skids. It would be futile and foolish to catalogue here the endless list of crimes begotten by the damnable Volstead Law. Even now no person (not even little children) is safe on the streets of New York City in daylight. Why does not Mr. Hoover lead a movement to alleviate these intolerable conditions, and restore peace to the country he swore to defend against foreign and domestic enemies? The answer is too plain, and lies in one word—politics.

I believe the elections this fall, and those a year hence, will reveal an awakening of the public mind of which our smug friends, the drys, have no idea now. They have bulldozed and lobbied their will on the people about long enough. You are doing your full share to bring about the emancipation which is sure to come.

EDWIN CARLILE LITSEY.

Heads and Tails

To the Editor: *Sterling, Kansas*

SIR—Allow me, rather belatedly, to express my admiration for your courageous and consistent stand in regard to the case of Mooney and Billings, which I consider to be even more worthy of commendation than your attitude toward prohibition is otherwise. As a Kansan, I know of no way in which I could more forcefully express my commendation.

KENNETH W. PORTER.

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Next Week

A Liberal Supreme Court
Oliver McKee, Jr.

To the liberal minority on the Supreme Court bench—Justices Brandeis, Stone and Holmes—may be added the name of the Chief Justice himself. The senators who violently opposed Mr. Hughes' nomination are, it seems, amazed at the so-called "change" in his attitude. Mr. McKee, however, points out that Mr. Hughes' position is not new, but a logical continuation of his earlier efforts toward enlightened liberalism.

Psychiatric Bunk
Ernest K. Coulter

Fads and "irresponsible" theories among many psychiatrists and their inexperienced disciples are hurting the science of mental healing. In the light of common sense they are spreading "bunk" which frequently places them in ridiculous and indefensible positions. Mr. Coulter tells of some of their less intelligent efforts.

Roosevelt: A Biography
Henry F. Pringle

As President of New York's Board of Police Commissioners, Roosevelt found an occupation admirably suited to his militant nature. He worked valiantly for reform, but an excess of zeal led him into tactical errors which rendered his position hopeless. Before his term expired he was seeking other fields to conquer. But in spite of partial failure, he had achieved a national reputation.

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THE OPEN DOOR

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OUTLOOK
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▸▸ Trend of the Week ◂◂

▸▸*Punctured Pact*

TRY AS ONE MAY, one cannot reconcile Japan's war in Manchuria with her signature of the Kellogg pact. The Kellogg pact, it will be recalled, is the treaty under which the nations—Japan among them—pledged themselves to renounce war as an instrument of national policy and to seek the settlement of all disputes by pacific means. It transpires that Japan's pledge was not worth a penny. Dissatisfied with pacific means, she violated her promise and resorted to force to settle her problems in Manchuria, Chinese territory which, in part, has long been coveted, colonized and controlled by Japan and in which she has heavy investments as well as military garrisons along the important South Manchurian Railway.

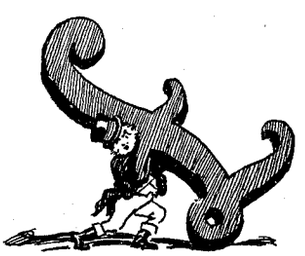
The difficulties in Manchuria involved charges and counter-charges centering around the execution of a Japanese officer by Chinese soldiers and the alleged attempt by Chinese troops to destroy a railroad bridge guarded by Japanese troops. But the thing that sticks out of all this is that Japan has abandoned pacific means of effecting a settlement in favor of major military operations on foreign soil. There was no thought of the Kellogg peace pact as the Japanese soldiers seized and occupied one Manchurian town after another and began mobilizing troops in Korea to the east and ships around Port Arthur. Whatever explanations may be offered, skirmishes, bombardments and military occupations cannot be squared with a pledge to settle disputes pacifically. Nor is it any excuse to say that the warfare in Manchuria is being waged by the Japanese army without the approval of the Japanese Foreign Office. Whoever is directing it, the Japanese government is certainly responsible.

Two years ago, the futility of the Kellogg pact was indicated by an outbreak of hostilities between China and Russia. It is now indicated again by the Japanese military operations in Manchuria. The unhappy fact is that as a practical means of preventing war the pact in its present form is not worth the paper it is written on.

▸▸*Hoover's Bold Stroke*

PRESIDENT HOOVER has just delivered the most courageous stroke of his Presidential life. His address before the American Legion convention comprised a polite but quite plain warning against further bonus legislation. In effect he told the veterans not to spoil their war record completely by making another raid on the treasury. It was his intention to nip cash-the-bonus project in the bud. Whether or not he has done so, he has certainly created a good deal of public feeling against this projected grab.

A course less bold would have been disastrous. Ever since the greedy elements among the veterans succeeded in wringing nearly a billion dollars in loans from the last Congress they have had designs on the Congress meeting this December. Regardless of the appalling deficits at Washington they now want their bonus certificates cashed in full, at a cost of $2,400,000,000. With Congressmen fearful lest the legionaires knife them on election day, a policy of watchful waiting in the White House would have given bonus enthusiasts excellent chances to pass their bill and then, if Mr. Hoover vetoed it, to pass it over his veto. As we recently suggested, Mr. Hoover's proper course lay in carrying his case to the country before the bonus movement got well under way. That is what he has done and we are delighted to commend him for it. He has started early and, for all his delicate phrasing, has struck hard. It is hoped that the public sentiment created by his speech and action will make Congress think twice before burdening the country with further indefensible bonus legislation.



▸▸*Off the Gold Standard*

THE DECISION of the British government to suspend that section of the gold standard act of 1925 requiring the Bank of England to redeem pound notes in gold at a fixed price—in other words, the decision to abandon the gold standard—will probably injure the United States very little. Americans hold but a comparatively small amount of British government securities payable in pounds. Hence, unlike British investors holding obligations of their government amounting to billions of dollars, they will not be hard hit if the pound is finally pegged at a lower level than that maintained since Britain returned to the gold standard, in April, 1925. Our export trade to Britain will, however, be injured to some extent.

While the burden of Britain's new financial policy will fall on all classes, it will fall primarily on the upper class and the middle class. The decline in the value of the pound will be as great a

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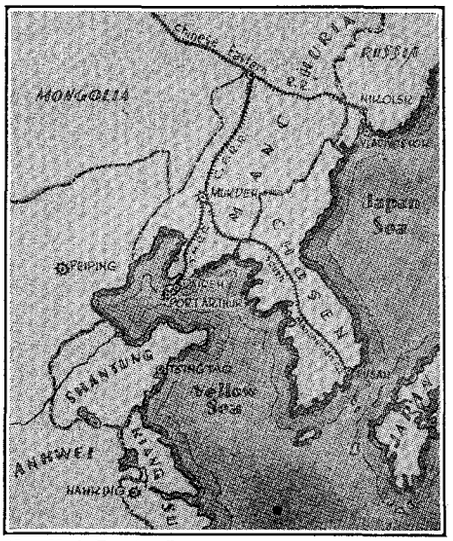
boon to borrowers as it is a burden to lenders. While it will raise prices in terms of pounds and therefore, in effect, will lower wages for the time being, eventually wage schedules will be revised upward, though more slowly than prices. At this writing, it is impossible to guess how far the pound will sink and where it will ultimately be pegged. But it is taken for granted that it will not be restored to its recent level and that there are serious losses in store for holders of government securities and other lenders who will be paid in pounds of depreciated value.

Offsetting the evils resulting from the abandonment of the gold standard is the likelihood that rising prices will act as a stimulant to business in Britain and so reduce unemployment. Offsetting the fact that the depreciation of the pound will impair Britain's buying power abroad is the fact that, through lowering the cost of production, it should enable her to expand her exports. It seems far-fetched to say, as some have done, that Britain is in for a revival of prosperity. It is not so easy to overcome such fundamental adverse factors as obsolete British equipment and the decline in British trade with India and South America. Yet, whatever the exact effect of the new British policy may prove to be, Britain will certainly be better off than she would have been had she failed to adopt it.

▸▸*Its Background*

WITH BRITAIN it was a choice between two evils. That she chose the lesser is the conclusion suggested by the facts behind the choice. The European financial crisis had reduced England's gold reserve to a point so low that it was necessary either to stop redeeming pound notes in gold or to strengthen the reserve by borrowing. Britain could have negotiated further loans and thereby could have continued redemption—payment of 112.9 grains of pure gold for each pound note, which, since the United States pays 23.22 grains for each dollar bill, had made the pound normally worth $4.86. This, however, could have been done only at a heavy price, so heavy indeed that ultimately Britain might have been forced to the very decision she has taken.

All this becomes evident on considering the immediate background of the decision of September 20. Whatever the future may hold, hitherto London had been banker to all the world, borrowing from banks in other countries money which it reloaned in still other countries. When the financial crisis reached a climax in Germany and Central Europe it tied up British loans thereto and occasioned the calling of loans by other countries to England. Thereupon began the payments which depleted Britain's gold reserve in what was known as the flight of the pound. Twice she replenished her reserves by borrowings abroad—on July 31 by borrowing $225,000,000, half from the Bank of France and half from the Federal Reserve Bank of New York, and on August 28 by borrowing $400,000,000, half from American banks and half from French. However, the reserves created by these loans were eaten up amid accumulated distrust in England's financial stability. Her desperate borrowings merely advertised her weakness. Further borrowings, made to keep the country on a gold standard, would have advertised it further and the new reserves would have gone the way of the old ones, leaving Britain even further in debt. Obviously that could not go on forever. Fortunately it wasn't allowed to.



New York Evening Post

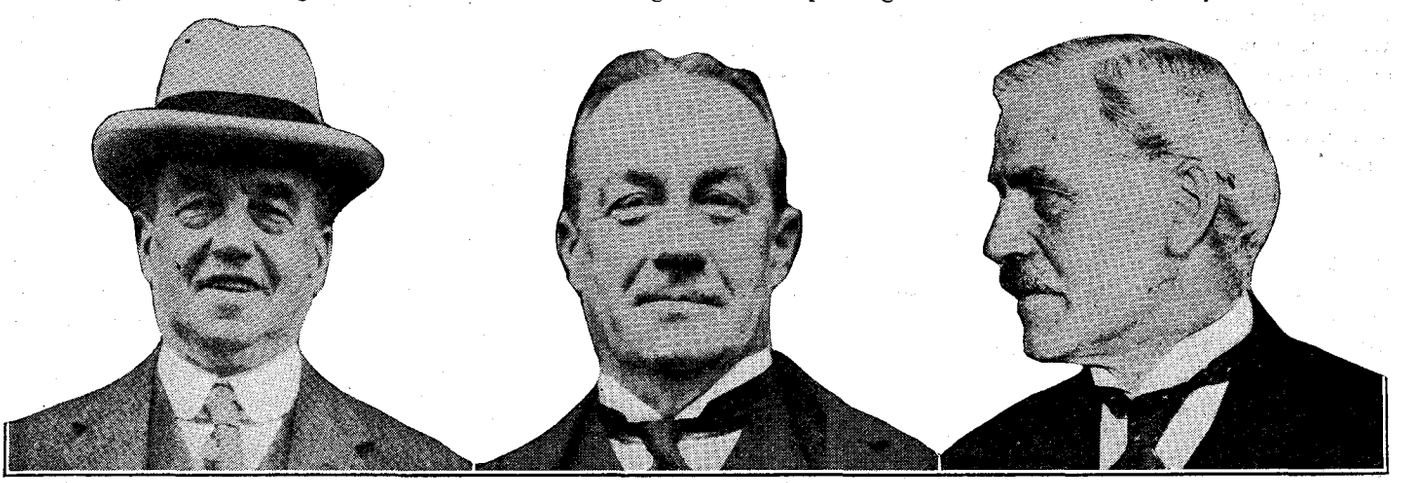
THE FAR-EASTERN FRONT

Map shows area of Japanese military operations in Northern China

▸▸*The British Mutiny*

THE RECENT MUTINY in the British navy constitutes not a repudiation of, but a sensational warning to, capitalism. What it indicates is that, though the average laboring man is willing to assume costs of the depression up to a certain point, he cannot be induced to go beyond that point even by love of country. It is ironical that the British mutiny should have come but a few days after Chancellor of the Exchequer Snowden closed his budget address in Parliament with a patriotic quotation from Swinburne—"Come the world against her, England yet shall stand."

One would no sooner expect to see a mutiny in the royal navy, that stronghold of British discipline, than to see one in Parliament itself. But if British leaders were considerably surprised by the passive revolt at Invergordon, Scottish base of the Atlantic fleet, they were also con-



BRITAIN'S BIG THREE

Arthur Henderson, Stanley Baldwin and Ramsay MacDonald, leaders, respectively, of the Labor opposition, the Conservative party and the Coalition Cabinet

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siderably frightened. There was danger, they recognized, that the unrest which prevented the movement of the fleet and caused the cancellation of scheduled manoeuvres would spread, not only throughout the navy, but into the army, the police forces and the civil service, where salaries have also felt the edge of the coalition Cabinet's pruning knife. The naval mutineers, largely of the lower ratings, protested that under the new Snowden budget their basic pay was cut by twenty-five per cent, whereas the pay of the officers was cut by only ten per cent. Why, they asked, should their wages be slashed from a dollar to seventy-five cents a day when the pay of some officers was simply cut from $27.50 to $24.75 a day?

The Admiralty and the Cabinet did not respond by clapping the rebels into the brig, as they would have done in normal times. Instead, they promised that there would be an investigation and that grievances would be redressed, and then took care to play down the revolt in Parliament and the press. Chancellor Snowden's cut in the sailors' pay may or may not have been advisable from a purely economic viewpoint, but it was obviously a mistake from a human viewpoint. Whether this will also prove true in the case of reduced civil service salaries and doles to the unemployed the next few months should show. Meanwhile, the revolt in the British navy demonstrates that the business of loading the burdens of a depression onto the shoulders of the laboring classes soon becomes dangerous. The point should be noted by American financiers who are flirting with the idea of general and sweeping reductions in wages.

▸▸*Bless Us and Save Us*

ALL cotton-growers' eyes have been fixed on Texas since, late in August, the Louisiana legislature passed Governor Huey P. Long's bill to prohibit all cotton-growing in 1932, a bill drawn to become operative if similar measures were passed by states which together raise three-fourths of the American cotton crop. It has been plain that, in this case, there might be truth in the old catch-phrase, "As Texas goes, so goes the South"; plain that Texas, growing more than a fourth of the total crop, could give the Long plan either an important boost or a death blow.

Texas has chosen to give it a death blow. Now that its legislature has rejected a cotton prohibition bill like Huey's, the Long plan is dead. Its end, however, but marks the beginning of other schemes to assist the hard-hit cotton growers. The present special session of the Texas legislature is extending a cordial reception to a bill calling for a one-third reduction of next year's cotton acreage. Other cotton states, weary of waiting for salvation to come through the futile Federal Farm Board, are likely to advance bills of their own. In fact, the desperation of the South is such that more or less wild-eyed farm relief plans will probably be as thick as fleas for the next several months.

International

AS PETER PAN

Maude Adams, who is said to plan a return to the stage

Together with western proposals for the relief of wheat growers, all this spells trouble for the session of Congress which meets in December and for the unhappy American taxpayer. Rural voters have a habit of getting what they want from Congress, whatever the cost to the country. The chances are they'll want another farm-relief nostrum which will be even more elaborate, even more expensive for federal taxpayers, than the last one. "And so, as Tiny Tim observed, God Bless Us, Every One!"

▸▸*Maude Adams to Return?*

SINCE SHE RETIRED in 1918 there have been many rumors that Maude Adams would return to the stage. So many that one more is not to be taken too solemnly. Yet the latest report, that Miss Adams will appear this winter with Otis Skinner in *The Merchant of Venice*, has a depressing ring of truth in it. Shakespeare is the patron devil of once-great actors and actresses. He will not let them retire in peace. He has sat beside so many of them on the lonely mountain top, goading, hypnotizing, pointing out the lights of Broadway below, that his plays are on the way to becoming so many mausoleums of fading glory. But one had hoped the bewitching Miss Adams would escape.

Every one regretted the loss of this first lady of the theatre at the height of her career. Yet her mysterious and complete disappearance into the obscurity of her own name and her own private life was quite in character. While she dominated the theatrical world, she was never a part of it. She remained demure and aloof. Unworldliness was her secret. The public expected the unexpected from her and, because she achieved it, has continued to remember and to adore her.

Now, apparently, she wishes to return and that is all right. It is understandable that it would be hard, in 1931, to find a play for her. Heroines have changed and Barrie is in the Never Never Land of amateur dramatic societies. But Maude Adams should come back on her own merits, not under the wing of the skilled veteran, Mr. Skinner. Not on the arm of Shakespeare, toward whom audiences are awed and respectful and critics are kind. Not dragging at her heels the ghosts of the aging Julia Marlowe, Mrs. Fiske and the rest. Miss Adams has always been unique; the Shakespeare revival is stereotyped. If she wishes to return to the stage, she should test her powers by stern modern standards or not at all.

▸▸*Remember?*

How, on October 30, 1929, John J. Raskob, chairman of the Democratic National Committee, said: "Prudent investors are now buying stocks in quantities and will profit handsomely when the hysteria is over and our people have opportunity in normal moments to appreciate the great stability of business by reason of the sound fundamental economic conditions existing in this country."

And on December 13, 1929, Julius H. Barnes, chairman of the board of the United States Chamber of Commerce and of the National Business Survey Conference, announced that "a preliminary study of the many reports submitted to the National Business Survey Conference indicates that there is nothing to cause further timidity or hesitation but rather warrants confidence in the early stabilization of business activity, without justifying excessive optimism before the close of the test period of the next six months."

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And on October 10, 1930, Vice-President Curtis said that no one could explain the business depression, but that "with the American Federation of Labor, the Secretary of Commerce, the President and others working, indications are that some method soon will be found to end it."

Remember?

(To be continued)

▶▶Roosevelt Gains Ground

THE SPECIAL SESSION of the New York legislature put many a feather in Franklin Roosevelt's cap. The Governor has focussed national attention on himself and has emerged a stronger executive than he ever before appeared to be. He has proposed and supported sensible and appealing measures, won substantially what he fought for, impressed the country with a willingness to help rather than hinder the investigation into the Tammany-controlled government of New York City and convinced the public that he is sincerely out to aid the man without a job. He has followed a well-devised policy, showed courage under fire and demonstrated a marked ability to turn Republican tricks against the tricksters.

Governor Roosevelt called the special legislative session expressly to further the investigation of New York City by enlarging the immunity-granting powers of the Seabury investigating committee. When the Republican majority in the legislature had passed the necessary bills along for his signature, he called attention to Democratic requests for similar inquiries into Republican counties upstate. However, the Republicans, so zealous to uncover Democratic graft in Gotham, had no intention of uncovering Republican graft up-state. Having accused Mr. Roosevelt of attempting to prevent a complete investigation of New York City's government, they refused even to start an investigation in their own bailiwicks. So doing they stultified their criticism of Governor Roosevelt's investigating record and made their own record seem black by comparison.

While the Governor induced the legislature to pass certain anti-crime bills to his liking, he gained most ground with his unemployment program. This embodied a $20,000,000 relief fund to be raised by a 50 per cent increase in state income taxes and administered by an emergency committee appointed by himself. Though it was obviously a commendable plan, Republican legislators, to the disgust of Democratic and Republican voters alike, set out to take the credit away from the Governor by changing it to suit themselves, even to the extent of transferring administration funds to picayune politicians. At this, Roosevelt flared up in old-time Al Smith fashion and forced the legislature to amend its bills to square with his original proposals. When the session finally ended, he had not only increased his stature but improved his already excellent chance of winning the Democratic nomination for President.

▶▶Overrated Issue

CONTRARY to some commentators, we see nothing exciting or important in Governor Ritchie's Atlantic City speech on the power issue. We say this as one who agrees with most of what he had to say. Like him, we believe that the recent propaganda of the power interests was "dumb and asinine," but that, even so, it does not destroy the case for private as opposed to public operation. Like him, we stand for "the irreducible minimum of legislative interference in every field of human effort, including the public utilities." Like him, we believe that the utilities should not be so narrowly regulated as to check their expansion. Like him, we believe that the problem of regulation, even when interstate transmission is involved, is primarily one for the states.

International

MARYLAND FREE STATESMAN

Albert Cabell Ritchie, candidate for Democratic nomination for President

But we still wonder what all the shooting's for. "Government ownership of the power industries would make us political slaves of the federal government," says Governor Ritchie. Here, it seems to us, he first erects and then riddles a straw man. Aside from feeble minorities in both parties, and excluding extraordinary cases like Muscle Shoals, who's advocating federal ownership of the power industry? Governor Roosevelt is supposed to be more doubtful of private operation than any of the other presidential candidates, yet even he advocates nothing more drastic than closer regulation of the utilities plus state operation of plants on certain power sites not yet leased to private enterprise. He would have the state distribute this power only if private companies refused to distribute it at rates reasonable to the consumer.

In truth, this so-called power issue is a good deal of a fraud. Put it beside the prohibition and prosperity issues and its importance fades to zero. The average householder does not consider his electric bills unreasonably high and, until he does, power will tend to remain an academic question. Not even a speech on the subject by Maryland's admirable candidate for President—whose chances, incidentally, look dimmer every day—can make this "burning issue" burn.

▶▶As to Home Building

DISAPPOINTMENT awaits any one who takes Mr. Hoover's home building program too seriously, any one who shares the President's hope that his project will result "not only in a sounder permanent policy, but in some degree of relief of current unemployment and in stimulation of the industries upon which building depends." The conference he purposes to summon, and the research work done by Hoover committees on subjects ranging from finance and taxation to construction, city planning and industrial decentralization may prove useful over a period of time. But as a means of relieving the current depression they will amount to very little.

In the first place, his conference will not meet until December and therefore cannot open the way to any considerable building until spring—in most sections of the country, late spring. In the second place, a home building program launched at that time probably stands to face the same practical obstacles it faces today. Relatively few people have the cash, collateral or credit with which to start the construction of homes today. Of the remainder, many are dissuaded from building by the hope that building costs, already low, will become still lower, or by fears lest they lose their jobs or part of their salaries. Finally, taxes are increasing and rents decreasing and both things tend to make people rent their homes rather than build them. In the face of these facts no amount of official hemming and hawing will start much hammering and sawing.

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Squarely confronted by them, Mr. Hoover turns aside to dwell on moral and spiritual values. He says that "adequate housing goes to the very roots of well-being of the family and the family is the social unit of the nation," just as in 1928 he said that "the family is the unit of American life and the home is the sanctuary of moral inspiration and of American spirit." These are beautiful thoughts, no doubt, but they won't bring about much home building in the weary, worried world we live in today.

▸▸*Definition*

THERE has long been a crying need for a legal, official and precise definition of racketeers and racketeering. Fortunately the need has now been met in a bill just introduced in the New York legislature, as follows:

"A person who seeks to coerce another to pay money or other valuable thing for protecting, or offering to protect, his right to do business; seeks to compel another to join an organization, whether formed under the laws of this state or otherwise; seeks to compel by threat of violence to person or property the collection of tribute or unlawful license for the privilege of conducting unmolested a trade or business; seeks to sell undue favoritism for, or induce discrimination against, the trade or business of another, or a person who knowingly assists in the prosecution of any of the foregoing acts shall be deemed a racketeer and guilty of the crime of racketeering."

Cordial thanks are due to the authors of this definition, Assemblyman Steingut and Senator Dunnigan. We have all had much occasion to use the words "racketeers" and "racketeering" during the past several years. We shall all have much more occasion to use them unless and until we abandon prohibition, their incubator. Hence the necessity of exact definitions. Even if we don't abandon prohibition, even if we won't do anything about racketeers and racketeering, at least we should know what we mean when we speak of them.

▸▸*The Beer Rumor Again*

OUR OLD FRIEND, the rumor that President Hoover is about to declare for the legalization of beer, is back with us again, as strong and as stupid as ever. As the story goes this time, Mr. Hoover's Cabinet is wet by seven to three and the beer movement advanced by wet Republican leaders of the East has the backing of a formidable group of Administration officials. So, to believe your ears and perhaps your favorite newspaper, Mr. Hoover is all set to order beer, to emancipate the G. O. P. from the Anti-Saloon League and cut wet support out from under Democrats.

All of which is balderdash. The fact is that Mr. Hoover and the responsible leaders of the Republican party have consistently stuck with the drys, are sticking with them still and plan to stick with them through 1932. There is not the slightest sign that their program includes beer, repeal or modification, either by Executive proposal or platform plank. There is nothing to indicate that it includes any attitude on prohibition save humble kowtows to the Borahs, the Brookharts and their dry electorates. Eastern Republicans may not like it, but Mr. Hoover and the party powers that be are convinced that dryness is the best Republican politics, perhaps not to be the best imaginable but the best under the circumstances. To be sure, Mr. Hoover has reason to fear the wets on election day, but he believes that he has even more reason to fear the drys. While wets may bolt him if he stays dry, he feels dead certain that the drys will bolt and beat him if he goes wet. So Mr. Hoover will be dry next year and the Republican platform will be as dry as he is.

▸▸*Fur 'n' Agin It*

EXTRACT from President Hoover's letter of September 17 to the New York *Times*, on the occasion of its eightieth anniversary:

> Our government is and must be responsive to the will of the people expressed through considered public opinion. That expression is more guided and revealed through the press than any other agency, but it implies great responsibility on the press that the news shall be accurately presented without bias or color *that the public may have an opportunity of formulating its views on the actual facts.* . . . Any newspaper, great or small, that *accurately disseminates information aids in the promotion of good government.* . . . [Italics ours.]

Extracts from articles in the September 5 and September 12 issues of *Editor & Publisher*, newspaper trade journal:

> Steadily, almost stealthily, there is growing up in Washington to plague the corre-

Remarkable Remarks

Conditions governing the Remarkable Remarks will be found on page 160

President Hoover will be renominated by acclamation and triumphantly reëlected, because he has done more to stabilize business and bring back normal conditions of industry than any other man could have done.—REPRESENTATIVE SAMUEL A. KENDALL.

Ray W. Frohman, 1181 West 36th St., Los Angeles, Cal., $5 prize.

The depression will be over by January 1, swing into higher levels in March, and there will be actual prosperity next fall.—O. O. MCINTYRE.

Mrs. H. L. Love, 256 E. 1st North St., Provo, Utah, $2 prize.

The millionaires of tomorrow are getting their start today.—ROGER W. BABSON.

Dr. F. P. McNamara, 491 Alpine St., Dubuque, Iowa, $2 prize.

The overwhelming majority of the American people want even more prohibition than they have today.—REV. DR. F. SCOTT MCBRIDE.

J. Philip Howard, Hubbardston, Mass., $2 prize.

Prohibition has made great progress since the President issued his message to Congress in transmitting the Wickersham report.—RT. REV. JAMES CANNON, JR.

E. H. Frost, Pippin Hill, Hendersonville, N. C., $2 prize.

Prohibition is an indication of America's great courage.—MAHATMA GANDHI.

E. H. Frost, Hendersonville, N. C., $2 prize.

Giving me the rank of Commander [in the Legion of Honor] did not seem strange to me.—MAYOR JAMES J. WALKER.

Mrs. Edgar Cope, Jr., 7213 Hazel Ave., Bywood, Pa., $2 prize.

Probably one of the reasons why divorce is so rare in France and Italy . . . . is that there are no twelve section papers, and extremely few bath rooms.—MONTAGUE GLASS.

Miss Myrtle Conger, 903 Chestnut St., Columbus, Ind., $2 prize.

Love is a woman's business.—PEGGY HOPKINS JOYCE.

Mrs. Olive M. Hagar, 5540 Pershing Ave., St. Louis, Mo., $2 prize.

Whenever I do indulge my sense of humor, it always gets me into trouble.—CALVIN COOLIDGE.

Beatrice Dodge, 1301 Mass. Ave., N. W., Washington, D. C., $2 prize.

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spondents and to confound newspaper editors and readers "back home" a wall of official silence on public questions, of evasion, misrepresentation and, sad to say, in

some cases, of downright lying by those public officials who are paid from the public funds and who are answerable to the people of the United States.

Formation among the Washington correspondents of a "grievance" or "vigilance" committee, to be representative of the entire corps of correspondents and supported by the majority, to investigate and eliminate instances of withholding public information by government officials seemed assured today. . . . Meanwhile, there was indication of a slight "loosening up" on news at the White House. . . . President Hoover has been holding press conferences more regularly during the last few weeks, though even now they are cancelled with but slight notice to the correspondents. . . . Of course, conditions at the White House now are far from satisfactory from the correspondents' point of view, and probably will remain so, but those who cover the White House regularly declared there has been some improvement. This improvement has not reached the point where the President will answer questions submitted by the correspondents. In fact, the correspondents have abandoned their practice of submitting questions for presidential consideration and comment at the press conferences, because it was found the President simply ignored them.

▶▶*Good Story Spoiled*

IT IS distressing to see the well-known Tarzan or Romulus-Remus story completely garbled in a press dispatch to this country from Istambul, Turkey. According to the dispatch, a peasant woman, collecting firewood in the forest of Stranja in Thrace four years ago, suddenly discovered that the baby boy she had left nearby had disappeared. All efforts to find him proved vain until, a few days ago, hunters in the forest brought down a bear and, as the animal fell, noticed a small child which had apparently been accompanying it. Taken back to the neighboring village, where he was recognized by his parents, the boy was discovered to be quite savage.

Now that isn't the way the Romulus-Remus story goes at all. The boy wasn't lost in a forest in Turkey. He was lost in a forest in India, or sometimes Africa. The hunters did not come upon him while bringing down a bear. They came upon him suddenly in an Indian or African clearing, where he was playing on terms of evident friendship with a number of apes, which scattered at the hunters' approach. It was apparent that he had been adopted by the apes as an infant and brought up by them. Taken to the nearest village and discovered to be quite savage, the boy was found to express himself in grunts presumed to be ape language. The story was vouched for by an English missionary living in an unpronounceable frontier settlement not to be found on the map.

That's the way the Romulus-Remus story goes. We ought to know; we've been seeing it in the newspapers every six or eight months for the past several years. Wholly untrue though it is, it is a very nice little story, and newspaper correspondents who get paid for telling it should take pains to tell it correctly.

▶▶*Word Test*

THE Federal Council of Churches of Christ in America sponsors the news that crossing out the words which are "more annoying than pleasing" in the following list will reveal something of one's "social and moral complex."

Anti-Saloon League
Bootlegger
Beer
Alcoholism
Saloon
Law enforcement
Abstinence
Association Against the Prohibition Amendment
Padlock
Canadian plan
Moderation League
Wine
Cocktail
Temperance
Hooch
Volstead
Speakeasy
Prohibition
Drunkard
Moonshine
Al Smith
W. C. T. U.
Total Abstinence Pledge
Whisky
Personal liberty
Law observance
Brewers' Association
Local option
Government sale of liquor
Home brew
"Social glass"
Andrew W. Mellon
Hoover Commission on Law Enforcement
Federal Council of Churches
Rum runner
Pledge signing
Cirrhosis of the liver
Enforcement officer
Jones Law
"Escape from monotony"
Wood alcohol
Political corruption
Prosperity
Poverty
Dispensary system
Band of Hope
Temperance education
Propaganda
Separation of State and Church
Scientific Temperance Federation
Coast Guard
Al ("Scarface") Capone
Racketeer
Search warrant
Whisky still
Wine cellar
Teetotaler
Beer stein
Machine gun
"Literary Digest" poll

So here goes. We cross out the following words:

Anti-Saloon League
Bootlegger
Alcoholism
Saloon
Law enforcement
Abstinence
Padlock
Temperance
Hooch
Volstead
Speakeasy
Prohibition
Drunkard
Moonshine
W. C. T. U.
Total Abstinence Pledge
Law observance
Home brew
Racketeer
Teetotaler
Hoover Commission on Law Enforcement
Federal Council of Churches
Rum runner
Pledge signing
Cirrhosis of the liver
Enforcement officer
Jones Law
Wood alcohol
Political corruption
Poverty
Band of Hope
Temperance education
Propaganda
Scientific Temperance Federation
Al ("Scarface") Capone
Search warrant
Machine gun

(Such words as law enforcement, abstinence, padlock, temperance, law observance, enforcement officer, temperance education, and search warrant have become more annoying than pleasing because of the way in which they have been misused by prohibitionists. Prohibition has similarly injured other good words, such as Federal Council of Churches.)

Well, we have the following words left:

Beer
Association Against the Prohibition Amendment
Canadian plan
Moderation League
Wine
Cocktail
Al Smith
Whisky
Personal liberty
Brewers' Association
Local option
"Social glass"
Andrew W. Mellon
"Escape from monotony"
Prosperity
Dispensary system
Separation of State and Church
Coast Guard
Whisky still
Wine cellar
Beer stein
"Literary Digest" poll
Government sale of liquor

We dare say that to the prejudiced prohibitionists who evidently composed this test we seem to have the "social and moral complex" of a horse thief.

▶▶*In Brief*

GOVERNOR RITCHIE of Maryland denies that he was referring to Governor Roosevelt of New York, Governor Pinchot of Pennsylvania or Senator Norris of Nebraska when he publicly wondered "whether gentlemen who discourse so extravagantly and so passionately on the subject of power are not really laying down a barrage or smoke screen with which they hope to hide other issues—such, for example, as prohibition—about which they may not think it politically wise to speak so boldly." Maybe he was referring to Rudy Vallee of Maine . . . . A certain Governor of Maryland is plugging

International

MAN WITH A PLAN
Gerard Swope, president of the General Electric Company

pretty hard for the Democratic nomination for President these days. We deny that we refer to Governor Ritchie.

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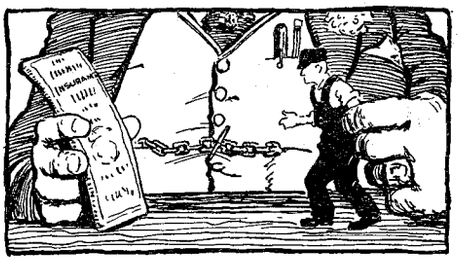
The Swope Plan for Industry



SOME MONTHS AGO, commenting on the number of five-year and ten-year plans for American industry advanced by economic theorists, we expressed the hope that an equal number of practical plans might be advanced by practical business men. It was therefore a pleasure to note the plan written and, on September 16, broadcast by Gerard Swope, president of the General Electric Company. It is similarly a pleasure to congratulate Mr. Swope on his intelligent and daring brain-child. Were all, or half, our eminent and well-advertised big businessmen as courageous, as resourceful and as intelligent as this one, public confidence in American business leadership would not have undergone its recent sharp decline.

BUT TO COMMEND Mr. Swope for advancing this plan is one thing, and to commend the plan itself is something else again. May we, at the outset, make it clear that we cannot endorse the Swope plan, since we cannot believe it would be worth what it would cost. Said Owen D. Young, discussing the plan of his fellow officer of the General Electric Company: "The question is whether the people who are calling for economic planning really mean what they say. Are they really willing to surrender their individual freedom to the extent necessary to execute a plan?" We should say that the question is rather narrower than that. It is not whether they are willing to pay the cost of any plan but whether they are willing to pay the cost of this plan. We, for one, are not.

WHAT MR. SWOPE suggests is briefly this: That all industrial units with more than fifty employees, engaged in interstate business, be compelled to join a national association for that industry, to be supervised by an administrative board on which the federal government, as well as employers and employees, would have representatives, and which, in turn, would be supervised by some central governmental agency at Washington. We take it that this industrial association would have the power of limiting production within the industry, or of co-ordinating production with consumption if you prefer to put it that way, and of fixing prices, subject always to federal supervision. Of this, however, we cannot be certain; Mr. Swope is brief and vague on these points, though they obviously call for exhaustive and clear explanation. This plan to stabilize industry—i. e., to prevent alternating booms and depressions and so perpetuate the *status quo* and achieve a static security—implies a good deal of coercion. It implies that, once the national association for any industry is formed and functioning, every individual manufacturer in that industry must enter the association whether he wants to or not, and once in, presumably, must consent to have it control his production.

TO SUGGEST THIS PLAN, involving as it does repeal or drastic modification of the anti-trust and other laws, the wholesale amendment of the Constitution, probably, and the abandonment of long-cherished American traditions of liberty, individualism, self-reliance and the least possible interference of government with business—to suggest this plan, in Mr. Swope's fashion, as primarily a means of obtaining security for the worker, seems to us a good deal like using an elephant gun to kill a wolf. Mr. Swope takes care to explain in detail exactly why his plan would bring about a large degree of safety for the employee in illness, unemployment, old age and death. This would be accomplished by insurance systems (*life insurance, wage insurance and so on*) the cost of which would be defrayed by employers and employees alike, without the participation of the state and federal governments. Admittedly it is as desirable to achieve security for the workman as to prevent periodic panics—Mr. Swope's main objectives. We believe it would be possible to reach those objectives without surrendering as much as Mr. Swope's plan contemplates.

IT IS AMUSING to note that the Swope plan has drawn either sympathetic or ardent comment from many conservative individuals and publications whose every previous utterance had faced in a directly opposite direction. This, we suppose, is but another illustration of the fact that conservatives can with perfect impunity advocate ideas which would get radicals shot at sunrise. What shall we say of those individuals who for years have been shouting that the government should stay out of business and now shout as loudly for the Swope plan? The Swope plan, which, going full blast, would put the government into every business there is, which, in fact, promises to put the government so far into business and business so far into government that the two would soon be one and indistinguishable! What shall we say of those individuals who bemoan bureaucracy, the centralization of power at Washington, the growth of paternalism, the decline of the rights and duties of the states, the narrowing of local self-government, and the invasion of personal liberty and then a moment later advocate a plan which stands for everything they oppose? We take it that in last analysis the government would make it its business to fix prices under the Swope plan and that business would thereupon set out to fix the government. In the end we might have commodity prices determined at the polling booth.

BUT ENOUGH. It is needless to criticize the Swope plan further at the present time. Nor do we wish, in criticizing it, to belittle the service Mr. Swope has done by advancing it for examination and discussion. It is, in fact, our hope that many other business leaders will be induced to follow Mr. Swope's example and give us, first, diagnoses of our economic ailments and, secondly, prescriptions for their cure. Out of this might come much of value to the country. Out of it should come at least some indication of the degree of liberty we shall have to surrender if we are to order our economic life ideally.

The Editors

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Backstage in Washington

WASHINGTON, D. C.

WE DO not like to grieve the numerous friends and admirers of Newton D. Baker, but we get word from sources close to the former Secretary of War that he does not want and will not seek the Democratic presidential nomination, and will become a candidate for the White House only if and when, without his solicitation, the party calls upon him at the convention next June. We see no reason for not disclosing that this warning comes direct from Mr. Baker himself, and, knowing him fairly well, we have faith in his sincerity. Indeed, we understand that the only reason he does not make his attitude plain and public is that he dreads lest it be regarded as the sort of thing an ambitious fellow would be expected to say.

The accuracy of the recent presidential poll by the OUTLOOK AND INDEPENDENT becomes more evident with each report which we receive from our scouts and agents throughout the country. Among thoughtful Democrats there is a growing belief that Mr. Baker is the best equipped man the party can present for the White House, but that the nomination, barring unforeseen developments, will go to Governor Franklin D. Roosevelt of New York. For instance, if the members of the American Legion voted for Mr. Baker in volume proportionate to the cheers they gave him at their annual convention in Detroit last week, he would obviously be a strong opponent for President Hoover. The ex-Doughboys clearly revealed that they liked this short, strange figure who headed the war machine of which they were members only a few years ago. But Mr. Baker, unlike Governor Albert C. Ritchie of Maryland, "Alfalfa Bill" Murray of Oklahoma, William G. McAdoo of California, Al Smith and Owen D. Young of New York, gave no comfort to the Democratic group which would like to stop Mr. Roosevelt before he gets so far out in front that he cannot be headed.

As we mentioned before, we think that Mr. Baker is sincere in his protestations. Nevertheless, we doubt if he could obtain much political support in his own State of Ohio should he permit his name to be used in the pre-convention campaign. We learn that the Ohio delegation will rally around Governor George White, a liberal dry, in the hope that a stalemate may see the lightning strike one of its several favorite sons. They are, besides Messrs. White and Baker, ex-Governor James M. Cox, the 1920 candidate, and Senator Robert J. Bulkley, who carried the State by 200,000 votes last fall on a dripping wet ticket.

Although Mr. Baker's address before the Legion convention gave him the presidential spotlight for the week, there are more serious threats to Governor Roosevelt's candidacy in the offing. Governor Ritchie, launched on a speaking tour designed to picture him as the outstanding conservative in the Democratic camp, is, quite definitely, an anti-Roosevelt candidate. The speculation that Mr. Ritchie means to serve simply as a stalking-horse for Messrs. Raskob, Smith, Baruch and Young, who are listed as among Governor Roosevelt's foes, is amusing, no more. The handsome and talented Governor of Maryland is a serious candidate in his own right, his close friends heartily assure us, although he will not cavil should the anti-Roosevelt wing pick him up.

NEWTON D. BAKER

DESPITE Mr. Young's protestations that "whoever keeps me out of the White House will be doing me a favor," he acts more like a prospective candidate every day. In fact, we are informed that the Swope program for stabilization of industry was to have been his bid for the nomination, and that he was to have advanced it as his own, but that, characteristically, he got cold feet at the last moment, and turned it over to his sidekick to deliver. We may be doing this Democratic superman a grievous injustice, but each visit he makes to the Capital deepens the impression that he would not strenuously object to being the nominee.

Down in the Southwest, however, there is a growing speck on the political horizon which, according to our latest reports, constitutes a real menace to Mr. Roosevelt.

The "speck" is "Alfalfa Bill" Murray, whose use of the military to force the price of oil from forty cents to $1 a barrel has won him the enthusiastic support of all western producers who suffer from depressed prices. Mr. Murray, we realize, has been characterized as a demagogue, but demagogues have their political uses, and these, to our mind, are demagogic times. We do not pretend to know whether Governor Murray should be so described, but we are informed that he has won the imagination of the West and southwest. Specifically, we hear he is growing in strength in states where Mr. Roosevelt was, a short while ago, reported to be in high favor. The movement for Murray, together with those for favorite and funny sons, may yet mean that the stop-Roosevelt crowd will be in a position to give the New York Governor a real battle. It is, in any event, along these or similar lines that the Democratic race in 1932 may be expected to develop—the field against Mr. Roosevelt.

SPEAKING of Roosevelts, we hear that young Theodore has been approached by friends of Mr. Hoover with the suggestion that he give some thought to becoming the Republican vice-presidential candidate next year. To our mind, it is unnecessary advice, since "Ted" always was ambitious, but the source of these reports is significant. We would not be surprised, should the Democrats name Governor Roosevelt, to see his distant and younger cousin bob up as President Hoover's running mate. As we understand it, certain G. O. P. politicians of the Lucas type think it would be a master stroke. It would, as did the nomination of grocer George W. Norris against Senator George W. Norris, confuse cognomens, and also permit the Republicans to capitalize the name on which some Democrats place such dependence. The Grand Old Party —we can almost hear them saying it —would thus be able to point out that, though the Democrats have the fifth cousin of Theodore the Great, we have the nearer kin, his first-born.

Presidential elections have been won and lost on such trivialities, as the Hoover-Huston-Willebrandt crusade for righteousness and right living demonstrated in 1928. A. F. C.

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Scourge of the Tiger

A Portrait of Samuel Seabury

By JOHN S. GREGORY

Keystone

SAMUEL SEABURY

BY THIS TIME the Tammany tiger must be fairly well immunized to the lash of the inquisitor. He has crouched, so to speak, before the bar of justice a good many times since that far-off day when the Rev. Charles F. Parkhurst called down the wrath of the Lord on his wickedness. It was then that the famous Lexow Committee hurled its Q's and A's at the leaders of the New York County Democratic organization and sent Richard Croker hustling to Europe while a reform administration took over the town. Out of all the reverberations only one conviction resulted, something to do with a basket of peaches, and Croker returned to power four years later.

It would not be surprising if the Tiger's fur had grown thick in the thirty-odd years that have passed since the Lexow investigation. Tammany Hall has repeatedly been charged with high treason to civic righteousness, and has always regained its grip on New York. In its current inquisitor, however, the Tiger may have found a foe whose blows will sting. Samuel Seabury, counsel to the Hofstadter Committee, is a Democrat of great legal distinction. He has already demonstrated, in his investigation of the Magistrates' Courts, his ability as an investigator. He is probably the only attorney in history who has represented the executive, judicial and legislative branches of the state of New York at one time and enjoyed simultaneously the prerogatives and authority of each. In deciding whether District Attorney Thomas C. T. Crain of New York should be removed, Seabury represented Governor Roosevelt, the state's chief executive. When he uncovered intolerable conditions in the city's lower courts, he was doing so at the suggestion of the Appellate Division of the Supreme Court and therefore was the voice of the judiciary. In the current inquiry, as special counsel to a legislative committee, Seabury works for the legislative branch. If Judge Seabury ponders the subject he will undoubtedly be horrified by the knowledge that he has violated Montesquieu's plea for separation of the three branches.

These unusual powers constitute one of the reasons for an aura of almost superhuman dignity which is supposed to surround Judge Seabury; he embodies not only the law but the executive and the legislative as well. There are other reasons for the widespread veneration. One is the fact that he is an old New Yorker, the son of a clergyman and the descendant and namesake of Samuel Seabury who was the first Bishop of the Protestant Episcopal Church in America. His impressive baritone voice, which rings in fine cadences in court, is another contributing cause. The culminating one is his appearance. Judge Seabury has snow-white hair, which is neatly parted. His eyebrows are impressively bushy. He has broad shoulders and his complexion is ruddy. Even when he is wearing a sack suit and is behind an ordinary office desk the black robe of the jurist seems to enfold him.

All this is somewhat misleading. The sterling virtues are there, of course, but Judge Seabury is not one of those men who view themselves with great seriousness, who think of themselves in the third person. He has an active, if faintly judicial, sense of humor. He was recently conferring with his associates on the possibility of investigating misuse of relief funds in one of the city boroughs. Charges had been made that jobs had been given to men and women who did not need them, and this led to the supposition that political favoritism had been prevalent. The borough is, of course, under Democratic rule.

"We should inquire," said Judge Seabury solemnly, his eyes quite serious, "whether the 1,800 individuals on the payroll were voters and learn their party affiliations. It will not do to have favoritism. It may well be that they are all members of the Socialist party. We cannot permit the Socialists to benefit in that way."

As he approached this mild climax of his story, Judge Seabury permitted his eyes to open very widely and a smile played about his lips. His associates laughed heartily.

The counsel for the Hofstadter Committee is not, of course, a boisterous individual and it is not on record that he ever made a pun, even a legal one. His heredity and background typify decorum even if his political views have, from time to time, been anathema to fellow New Yorkers of breeding and respectability. Born in New York City in 1873, Samuel Seabury spent his boyhood in the cloistered calm of the rectory of the Church of the Annunciation on West Fourteenth Street. His father, the Rev. William Seabury, was pastor of the church as well as professor of canonical law at the General Theological Seminary. Tradition may have argued that the son was to enter the church, like most of his distinguished forebears, but after preliminary education in private schools young Samuel turned to the law. There was not much money, since this was a pastor's household, and he earned part of his expenses while at the New York Law School by reading legal manuscript and proofs for publishers and printers. After graduation in 1893 he took a year of graduate work and was admitted to the bar in 1894. He became associated with the law firm of Seabury & Pickford that year.

SEABURY would unquestionably have made an excellent clergyman had he so elected. But his choice of the law caused no loss in the ranks of those who battle against injustice, against the inhumanity of man to man. He must have been a rather solemn youth, thus stepping from the pages of Mrs. Wharton's *Age of Innocence* and looking for dragons to slay. He must also have had forceful qualities; in 1897 he was endorsed by the Citizen's Union, an anti-Tammany organization, as candidate for alderman from his home district. He would have made the campaign had not his attention been deflected by the figure of Henry George, the Single Tax apostle.

(Continued on Page 148*)*

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Roosevelt: A Biography

III—Return to Politics and Second Marriage

By HENRY F. PRINGLE

Roosevelt's self-imposed exile in the Bad Lands came to an end in 1886. He was to be married again and was also anxious to reënter the political arena. His defeat in the New York City mayoralty election had little effect on his political future and the following year saw him in the thick of the fight against Cleveland. In the next installment is told the story of his reform efforts as President of New York's Board of Police Commissioners. As always he attracted an enormous amount of attention and although largely unsuccessful as a reforming police chieftain, he managed to gain something of a national reputation

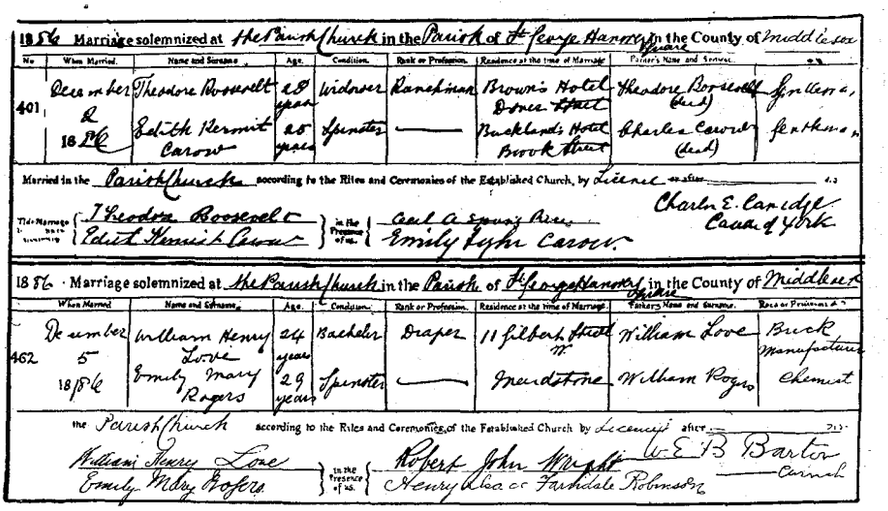
•

THE episode of the Bad Lands would have ended even if the herds of the Maltese Cross had flourished and multiplied. The winter of 1886-87 merely accelerated the end. The West had brought Roosevelt a measure of tranquillity, but increasingly his fundamental interest was in the East, where two factors, in particular, were drawing him back. The Bad Lands, having served their purpose, became touched with sentimentality. Roosevelt had no desire to return, had it been possible, to the land "of scattered ranches, of herds of long-horned cattle, and of reckless riders who unmoved looked in the eyes of life or of death."

The more important influence which turned his face East was the fact that he was to be married again. The first mention of his engagement to Edith Kermit Carow was on November 1, 1886, when he told Cabot Lodge. The story of Edith Carow, however, goes back virtually to the beginning of Theodore's own story. She belonged to the group of boys and girls who played in the yards of the ample houses off Gramercy and Union Squares. The daughter of Mr. and Mrs. Charles Carow, who lived near the Fourteenth Street mansion of Theodore's paternal grandfather, she was an intimate companion of Corinne, the youngest of the Roosevelt brothers and sisters. She was three years younger than Theodore.

When the Roosevelt family went abroad in the summer of 1869 the children were homesick. They missed all their New York friends a good deal, and they longed to see Edith. Teddie, being the most talkative, was the one who gave voice to their sentiments. On November 22, 1869, he succumbed to one of his attacks of melancholy and noted in his diary:

> In the evening Mama showed me the portrait of Eidieth [*sic*] Carow and her face stirred up in me homesickness and longing for the past which will come again never, alack never.



RECORD OF THE LONDON MARRIAGE

Facsimile of a page from the register of St. George's Church. T. R. gave his occupation as "ranchman"

Brown Bros.

EDITH KERMIT CAROW

To whom T. R. was married December 2, 1886

"You are my most faithful correspondent," he wrote to her the same winter and, in a letter describing the sights they had seen, he signed himself: "Evere [*sic*] your loving friend, T. Roosevelt."

The boy and girl friendship between Theodore and Edith continued through the years of tutoring and the second journey abroad. During Roosevelt's freshman year at Harvard she went to Cambridge, accompanied by Corinne, to visit him. That she was in his mind that year is shown by a letter to his sister, dated February 5, 1877, in which he told of some sleighing party in Boston. ". . . . One of the girls," he said, "looked quite like Edith only not nearly so pretty as her ladyship."

Was a childhood love affair behind all this? It would be natural, in view of the outcome, to assume that there was. Mrs. Robert Bacon, who knew Edith and Theodore and also Alice Lee well, felt confident that such had been the case. If it was so, Edith suffered because she remained at home while Theodore went to college. In October, 1878, he met the fascinating Alice Lee. There is little to support any theory regarding them; my own is based on the degree to which, in the years of their married life, Edith Carow took care of the violently adolescent person who had become her husband and had risen to such heights. She was not a power behind the throne, although she sometimes influenced him. Rather, she watched over his welfare. She persuaded him to put on dry clothing

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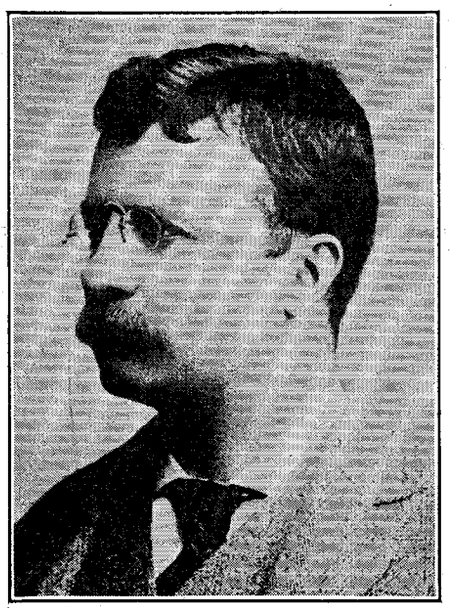
when he returned from some ridiculous tramp in the rain. To Cecil Spring-Rice, to Owen Wister, to Cabot Lodge, to Archie Butt, and to all the rest who made up their circle of intimates, Mrs. Roosevelt was a gracious woman who never made mistakes, who saw that things moved properly at some White House function, who brought up the children and paid the bills.



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THE REPUBLICAN NOMINEE
T. R. as he looked in the fall of 1886 just before his second marriage

My theory is, then, that the small Edith of the '70's represented a degree of the maternal to the sickly Teddie. I think she was always thus. "Was he ever wholly aware," asked Wister, "of what she did for him?" I think that he was. The evidence is strong that he saw this and treasured it; he could be amused by his own defects and the balancing influence of the woman who presided over his home. In the civil service days at Washington he wrote of a dinner they had given to some notables:

. . . . Bill of fare, crabs, chicken and rice, claret and tea. Springy [Cecil Spring-Rice] nervous and fidgety; I, with my best air of Oriental courtesy, and a tendency to orate only held in check by memory of my wife's jeers. . . .

Mrs. Bellamy Storer, who was exceedingly close to the Roosevelt family until a quarrel separated them, remembered an occasion soon after Archie's birth when Mrs. Roosevelt was packing before leaving Washington for Sagamore Hill. She asked whether Roosevelt would accompany her and the children.

"For Heaven's sake!" answered Mrs. Roosevelt. "Don't put it into Theodore's head to go too; I should have another child to think of."

Mrs. Cowles, Roosevelt's older sister, accompanied him to London where the wedding was held. Spring-Rice, who had recently met him and described him as "the boss Republican young man," was the best man at the ceremony on December 2, 1886, at St. George's Church in Hanover Square. The two men had become fast friends, and Mrs. Cowles had moments of anxiety, on the morning of the wedding, because "they were intensely occupied in a discussion over the population of an island in the Southern Pacific." It was a foggy day, and she felt that they must get started if Edith Carow was not to be kept waiting at the church. "Characteristically," said Roosevelt, "he had me married in bright orange gloves which I accepted with a calm wholly unwarranted." Springy's own recollections were vague: ". . . . I wore my frock coat" he wrote to a friend. ". . . . You must be civil to him as he is one of the most amusing people one can meet, and his wife is charming."

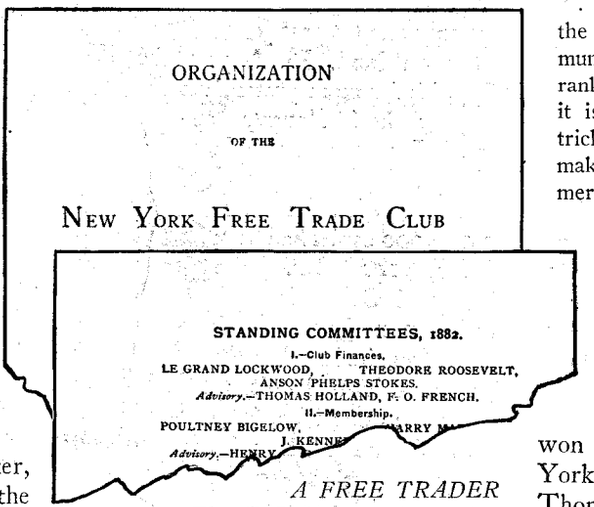
The ceremony attracted little notice. When Roosevelt was in the White House, some one took the trouble to examine the register at St. George's and found:

December, 1886—Theodore Roosevelt, age 28, widower; profession ranchman, residence at Brown's Hotel, Dover Street; father's name, Theodore Roosevelt (dead); rank or profession, gentleman.

Edith Kermit Carow, age 25 years, spinster; no profession; residence, Buckland's Hotel, Brooks Street; father's name, Charles Carow (dead); rank or profession, gentleman.

Married in parish church according to the rites and ceremonies of the Established Church by a license by me, Charles E. Camidge, Canon of New York.

This marriage was solemnized between us. (Signed) Theodore Roosevelt, Edith Kermit Carow, in the presence of us. (Signed) Cecil A. Spring-Rice, Emily Tyler Carow.


ORGANIZATION
OF THE
NEW YORK FREE TRADE CLUB
STANDING COMMITTEES, 1882.
I.—Club Finances.
LE GRAND LOCKWOOD, THEODORE ROOSEVELT,
ANSON PHELPS STOKES.
Advisory.—THOMAS HOLLAND, F. O. FRENCH.
II.—Membership.
POULTNEY BIGELOW,
Advisory.—HENRY

A FREE TRADER
That T. R. had once been a free trader was described as a "youthful indiscretion." He was "cured" before 1886

The honeymoon was spent in England and on the continent, and Roosevelt's letters reflected contentment and happiness. His sole worry was over his financial situation. Calamitous reports had reached him from the Bad Lands. He wrote Mrs. Cowles that it might be impossible to keep the home he had built at Oyster Bay.

On March 28, 1887, uncertain as to his future, he returned from abroad and went at once to Medora.

The other influence which drew Roosevelt back from the Bad Lands was an opportunity to reënter public life. Politics, he had written in March, 1885, had "reached a stage . . . . best described as the Apotheosis of the Unknown." In October of that year he addressed a Republican meeting in Brooklyn. David B. Hill, the New York Democratic leader, was running for Governor against Ira Davenport, Republican, and Roosevelt with rare self-control said he would not scold "Mr. Cleveland for his numerous shortcomings" as President of the United States. It was a "matter of very great regret that the Democracy should be in power at all," but the Cleveland wing was, at least, better than the Hill wing. The fundamental issue was civil service reform. Regarding the two great political parties the young man who was "out of politics" said:

. . . . Throughout the North the bulk of the honesty and intelligence of the community is to be found in the Republican ranks. If the Republicans take a false step it is usually because the politicians have tricked them into it; while if the Democrats make a good move it is almost always merely because the astute party leaders have been able for a short time to dragoon their dense-witted followers into the appearance of deference to decent public sentiment.

The party thus holding a monopoly of virtue continued, however, to be tossed by trouble. Hill won in 1885 and the gloom in New York State was deeper than ever. Thomas C. Platt was to make capital out of the discord. He dreamed of returning to the United States Senate, from which he had so ignominiously retired. It was still too soon, he decided, and supported Levi P. Morton instead. Among those who opposed his plan was Theodore Roosevelt, still "out of politics," and the

Photographs by courtesy of the Roosevelt Memorial Association, 28 East Twentieth Street, New York

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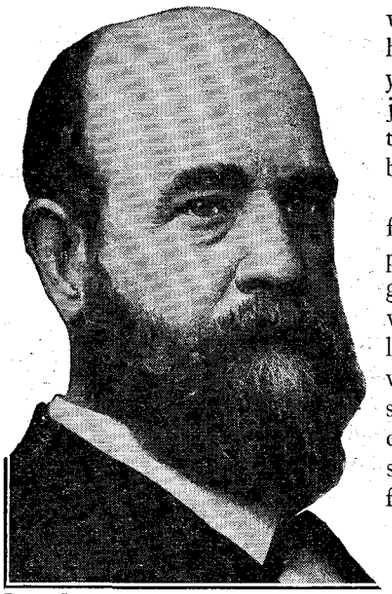
outcome was the elevation of William M. Evarts, the distinguished attorney who had defended President Andrew Johnson in the impeachment proceedings.

Platt continued to hope and yearn, with 1887 as another year when he could run for the Senate. That Roosevelt had fought him made no difference to this objective publicist. He decided that Roosevelt could be useful. The state elections in 1886 were unimportant; interest centered in the New York mayoralty campaign. Historically, it was a contest well meriting attention. In Roosevelt's memoirs, for reasons understandable enough, it is dismissed with three lines of type.



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HENRY GEORGE

The Single Tax apostle, whose independent candidacy for Mayor of New York caused such alarm in Republican and Democratic ranks

Slowly and with slight support from the politicians, the American labor movement had been making progress. For a decade there had been acute labor disputes; a coal strike in Pennsylvania in 1874, a nation-wide railway strike two years later, and then the agitation for the eight-hour day. In the spring of 1886 a bomb exploded in Haymarket Square in Chicago, killing one policeman and wounding others. The outrage, although no proof of the responsibility of labor was offered, aroused the respectable people who had been paying no attention to organized labor or its plans. After May, 1886, all true patriots were urged to stamp on the snake which had ventured into the garden of American prosperity. The labor movement must be put down! At this point Henry George became labor's candidate for Mayor of New York, with Abram S. Hewitt and Theodore Roosevelt as his opponents. Where Roosevelt stood in the matter of the Haymarket riots was expressed in a letter from his ranch:

> My men are hard working, laboring men, who work longer hours for no greater wages than most of the strikers; *but they are Americans through and through.* I believe nothing would give them greater pleasure than a chance with rifles at one of the mobs. When we get the papers . . . . they become more furiously angry and excited than I do. I wish I had them with me *and a fair show at ten times our* number of rioters; my men shoot well and fear very little.
>
> ". . . . The day that the anarchists were hung in Chicago," he wrote in an essay two years later, "my men joined with the rest of the neighborhood in burning them in effigy."

The workingman had found very little prosperity in the American garden. When times were good, he worked long hours for low wages. When a panic swept the country, as it did periodically while the statesmen at Washington fumbled with finance, he joined the breadlines or starved. Labor had no voice. It controlled very few votes. It seems not to have occurred to its leaders to organize for action in their political districts, to seek relief through the ballot, to storm the national conventions.

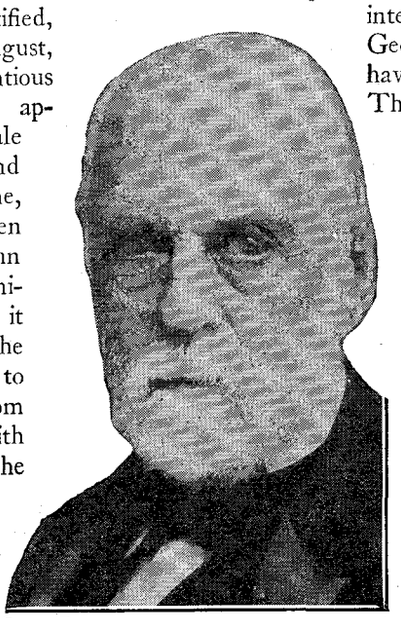
Meanwhile, that strange and scholarly figure, Henry George, had arisen. Millions read his writings. He pointed to still another Utopia. George is remembered, chiefly, as a fanatic who advanced some absurd, undoubtedly Socialistic, idea called the Single Tax. An itinerant printer, he had arrived in New York from the West in 1869; "a young man of less than thirty . . . . small of stature and slight of build." He had been distressed by the city's poverty and two years after arriving he published a small book called *Our Land and Land Policy* in which he advanced the radical idea that only one tax was justified, a tax on land. In August, 1877, his far more pretentious *Progress and Poverty* appeared. It was soon on sale in England, Germany and other countries. In time, 20,000,000 copies had been sold. In 1928 Dr. John Dewey of Columbia University remarked that it would "require less than the fingers of two hands to enumerate those who, from Plato down, rank with Henry George among the world's social philosophers."

He was a famous man in 1886, but his views were either misunderstood or distrusted by the respectables. Roosevelt had probably met George, since they were fellow speakers at the dinner of the New York Free Trade Club in May, 1883. He had, however, no sympathy for his ideas and had probably read none of his books. Ultimately he was dismissed, as Roosevelt usually dismissed those whose philosophies he could not appreciate, as "an utterly cheap reformer."

To the laboring man, whether organized or not, George's ideas offered hope. He denied that wages were limited by capital. He said that financial depression was caused by the speculation which came from increases in the value of land. If these increases, through taxation, became the property of the government, a new and just distribution of wealth would result. The only way, in the United States, in which "the redress of political and social grievances" could be obtained was through the ballot.

Then came the demand that he run for Mayor and on October 5, 1886, Henry George consented. Immediately there was consternation among the leaders of Tammany Hall and the machine Republicans. They saw their comfortable alliance in danger of disruption. Richard Croker was the first to act, and he did so with skill. He forced his lieutenants to agree to the nomination of Abram S. Hewitt, an independent Democrat of great wealth. Croker, who cared nothing whatever for the rights of labor, was wise enough to know that the George candidacy would alarm great numbers of Republicans and independent Democrats. If the proponent of the Single Tax could only be painted as a black enough menace, their votes would go to Hewitt.

The Republican bosses, had they been interested in defeating George, would logically have endorsed Hewitt. They had, however, more fundamental interests. In the first place, it was necessary to keep their machine in operation. It did not seem possible, with so honest a man as Hewitt the candidate of Tammany, that the usual division of spoils with Tammany could be made. Too, the Republican leaders felt that George would draw more heavily from the Democratic side, which pretended to be the



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ABRAM S. HEWITT

Who won the three-cornered mayoralty election in New York City

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party of the workers. A nominee of their own might win. Consequently such Platt men as "Barney" Biglin, "Johnny" O'Brien, "Mike" Cregan, "Jake" Patterson, and "Sol" Smith arranged to have Roosevelt approached. They did not, of course, see him in person. Well-dressed, prosperous Republicans of standing were persuaded to speak for them. ". . . . I was visited by a succession of influential Republicans," he told Lodge on October 17, 1886. ". . . . With the most genuine reluctance I finally accepted" the Republican nomination for Mayor.

A CARTOON OF THE PERIOD

Puck, widely read humorous publication, pokes fun at Roosevelt's youth and at the weakness of the Republican party for nominating him

Elihu Root, Levi P. Morton and Chauncey M. Depew—to stretch a point—were among the Republican respectables who attended the County Convention at the Grand Opera House on the night of October 16. It was a routine affair at which the decision of the bosses was confirmed. Mr. Depew placed Roosevelt's name in nomination and dwelt on the extent to which Hewitt, surely an honorable man, would be handicapped by his *mésalliance* with Tammany. He was about to swing into his euology of Roosevelt when former Assemblyman Isaac Dayton, known locally as Uncle Isaac, shoved his way toward the platform screaming that the man they were about to nominate was a free trader.

"I say he is not!" shouted a voice, while other Republicans blanched at the thought of a free trader as Mayor of New York. "I say he is not!" the voice persisted. "He told me so last night."

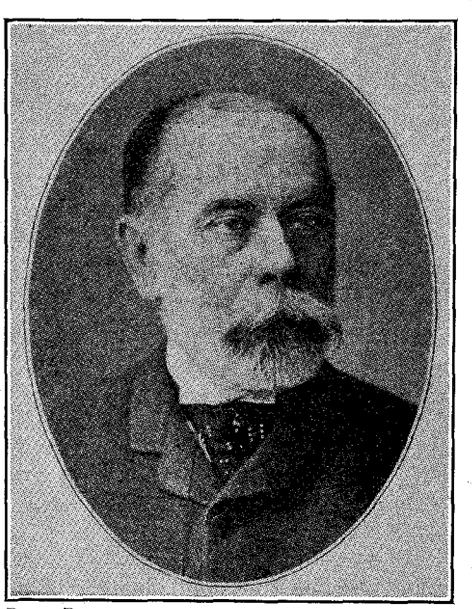
Mr. Depew was suave. Mr. Roosevelt, he said, "has had the rare courage to acknowledge that he has recovered from the errors of his youth." He admitted that their candidate, when fresh from college, might have subscribed to this economic heresy. He might even have "believed in the strange and extraordinary theories of Henry George; he may even have had doubts of orthodox religion." Mr. Depew permitted a look of horror to pass across his face.

"But today," he added emphatically, "he stands cured."

Roosevelt, thus purged, was nominated by acclamation. He pledged himself to honesty in civic affairs, to war "against the spoilsmen who are eating up the substance of the city." He branded as "deliberate untruth" accusations that he favored low wages and had no sympathy for the working man. Only by "that capacity for steady, individual self-help which is the glory of every true American" could the problems which tortured him be solved. It was a rather empty program for the worker, who had found society organized against him whenever he tried to help himself; obviously Roosevelt was still to become socially minded. He did, however, see clearly the obstacle to his own election; the probability that many Republicans would vote for Hewitt through fear that Henry George and his "strange and extraordinary theories" would otherwise blight their prosperity.

"If we stand together," he said in one speech, "we can and will win."

Richard Croker took care to see that they did not stand together. Mr. Hewitt pointed to a victory by George as "the greatest calamity that could menace the prosperity of the city." On November 3 the Democratic candidate told of the many Republicans who had pleaded with him to run for Mayor. ". . . . The leaders of the old Republican machine," he said, "thought they saw a chance to profit by the fact that the two Democratic factions might not unite . . . . so the Republican leaders cast aside patriotism. He is a bright young man, but Mr. Roosevelt has made a mistake. He has allowed himself to be made the tool of designing men."



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EDWIN L. GODKIN

Famous editor of the N. Y. Evening Post, who disapproved violently of T. R., saying that he was not to be taken "seriously as a politician"

Even the New York *World*, taken over by the liberal Joseph Pulitzer, joined in the outcries of alarm over the Henry George menace. Unlike its contemporaries, though, *The World* appreciated the significance of the George movement as "a protest—a deep, disgusted protest, not wholly free from anger—against the evils, abuses and corruptions that are rooted in our politics." This was true, but the evils were deeper in their source than politics. It was the squalor, the abject poverty and the disease in New York City which caused the theories of Henry George to win so many converts. Well-bred residents of New York ignored these conditions until, four years later, a newspaper reporter named Jacob Riis wrote a book, *How the Other Half Lives*, shaming a few of them into action. Roosevelt was among the number.

That Democratic and Republican henchmen combined on Election Day to defeat Henry George is possible. He had few, if any, watchers at the polls and no influence whatever with the police and election officials. Frederick B. House, a Republican who became a City Magis-

(Continued on Page 158*)*

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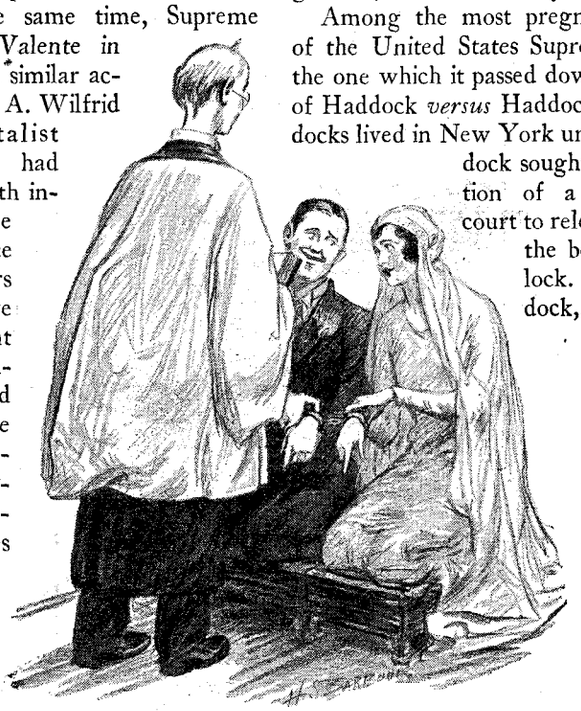
When Is A Divorce?

By FRANK CLAY CROSS

Out in Reno the divorce courts continue to smash all records for efficiency, but while the beneficent sun still shines on the scene of action, dark thunderclouds begin to loom all across the eastern horizon, threatening to pour down trouble and disappointment on the heads of the discontented husbands and wives who come away confident that they have been released incontestably from the irksome bonds of matrimony. A storm is in the making. If Nevada reckoned that the rest of the states would sit back complacently while she reaped a harvest from far beyond her boundaries, it seems that she was mistaken. Already the wind is up, and here and there, all through the East and middle West, sharp flashes of lightning portend what is to come.

It is rather difficult to put a finger on the principal storm center, but perhaps the disturbance is a bit more acute in Chicago than anywhere else. The reason is to be found largely in the person of Superior Judge Rudolph Desort, who started the counter-attack on Reno early in June when he granted an injunction restraining Joseph Sylvan, a wealthy automobile radio man, from proceeding with a suit for separation in the Nevada city. About the same time, Supreme Court Justice Valente in New York took similar action in behalf of A. Wilfrid May, a capitalist whose wife had trekked west with intentions which he disapproved. Since then newspapers far and wide have carried frequent reports of new injunctions and suits against the legality of "non-resident" separations. As numerous as these cases now are, however, prominent divorce lawyers, whom I have interviewed, say they are only a handful as compared with those which will follow if the present cases are supported by the higher courts. By far the most of the potential plaintiffs are now engaged in watchful waiting. That they will be encouraged to take action seems pretty certain, for the Supreme Court of the United States, as well as highest tribunals in many of the individual states, has already ruled that such divorces are not necessarily valid outside the states which grant them.



Marriage is still easier to accomplish than divorce

Our national Constitution declares that "full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state." This clause presupposes, however, according to the interpretation of the Supreme Court, that the first state has jurisdiction over any persons or property involved. In divorce actions, a state seems to be privileged to grant a separation to either party of a matrimonial partnership who establishes residence inside its boundaries, but it cannot determine the status of the other party in the same partnership, who continues to live in another state where the couple last lived together as man and wife, and who refuses to appear voluntarily in the proceedings. In other words, the defendant, as well as the plaintiff, must submit to the jurisdiction of the court outside the state of bona fide residence, if the divorce, when granted, is to be mutually binding.

Among the most pregnant decisions of the United States Supreme Court is the one which it passed down in the case of Haddock *versus* Haddock. The Haddocks lived in New York until Mr. Haddock sought the jurisdiction of a Connecticut court to release him from the bonds of wedlock. Mrs. Haddock, however, continued to live in New York and formally ignored the Connecticut suit. Later the plaintiff, who imagined himself a free man, returned to New York; whereupon Mrs. Haddock sued him for separation on her own terms. The admissibility of her case, of course, depended on whether she was bound by the Connecticut decree. The question was debated through the courts of the Empire State and eventually found its way to Washington. The Supreme Court divided on it, but the prevailing opinion, written by Justice White, declared that the Connecticut court had no jurisdiction over the wife, who therefore enjoyed the right to sue and obtain judgment in New York.

The Haddock decision provides a precedent which may guide the verdicts in scores of other cases within the next few months. At the outset the summer recesses of the higher courts have delayed what otherwise would probably be a major attack already on out-state divorces, but plenty of action will be under way soon after the first of the year.

"We're out to defend the rights of our citizens," Judge Desort told me. "When a resident of Illinois goes outside the state purposely to get a divorce, he manifestly seeks to evade our laws. If he has a wife and children here, our courts alone have jurisdiction over them. It's for us to say what rights belong to them. I contend that no man should be permitted to escape his family obligations by going to Reno, or anywhere else where divorces are granted without a decent regard for justice and humanity. That goes, of course, for wives and mothers, as well as for husbands and fathers."

Judge Desort is a young man—the youngest judge on the Chicago bench—with broad shoulders and a pleasantly serious face. When he talks about the unfairness of these divorces, you feel an impulse to buckle on your armor and sally forth to battle beside him.

"Here's the case of Joseph Sylvan," he said. "Sylvan has a wife and six children here in Chicago. He wants to shove them off without any fair provision for separate maintenance. If Mrs. Sylvan's bill of complaint is true, he got infatuated with another woman and went to Reno for a divorce so he could marry her."

Then he showed me a letter from Sylvan's lawyer in Reno which spoke in high-sounding terms about the moral obligation of our courts of domestic relations to promote happiness by dissolving matrimony between men and women who cannot, or will not, live together amicably.

"Happiness!" he scoffed. "What about the happiness of this mother who would be left with six children on her hands? What kind of justice would permit this man to abandon his family for his own selfish enjoyment?"

When I talked with Judge Desort, it was not yet known whether, or not, the Nevada court would recognize the in-

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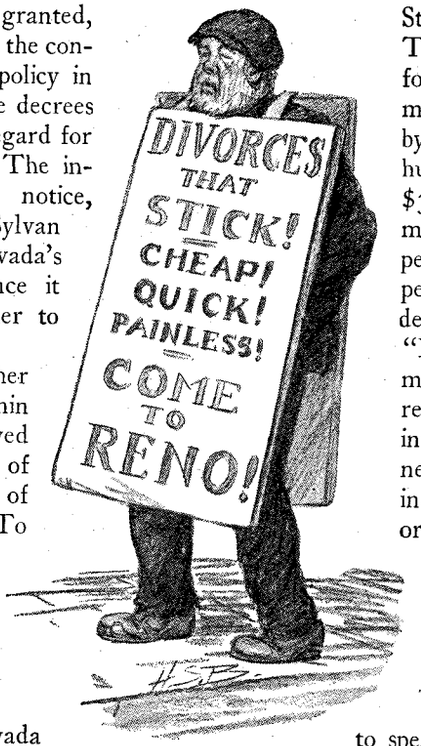
junction which he had granted, but probability favored the contrary. Thus far the policy in Reno has been to give decrees in all cases, without regard for sentiment elsewhere. The injunction has served notice, however, that Mrs. Sylvan does not submit to Nevada's jurisdiction; and hence it paves the way for her to open suit in Illinois.

I later talked with her attorney, Mr. Benjamin B. Davis, who showed me a letter from one of the principal officials of the state of Nevada. To name or identify him otherwise would be improper, but there could be no better authority for the comments which the letter contained. "Nevada courts are very much inclined," he wrote, "to grant divorces where it is evident that the parties cannot live happily together, or will not try to do so." He then went on to explain that sentiment was against the allowance of separate maintenance. As for Mrs. Sylvan, he advised that she keep out of the Nevada action, and seek recourse in the courts of Illinois. In other words, it would seem that Nevada is concerned only with fees; the mere matter of justice it leaves for the other states to adjudicate.



Will it come to this?

There is no need for me to cite any one of the many other cases which are now before the courts, or to detail my conversations with other lawyers and judges. Wherever the issue has come to a head, the same attitude prevails. "The easy divorce policy, no matter where it obtains, is an infringement on the rights of other states and will not be tolerated" —that's the essence of declarations which were made to me on every hand.

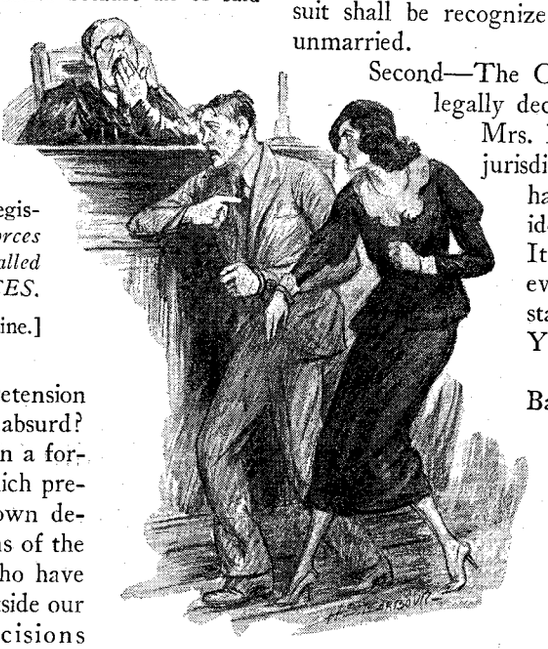
The attack is not on Nevada divorces alone. It simply happened that Reno came more frequently into my conversations, because of the publicity which it has had. Actually an even keener resentment was evinced in many instances against Mexican divorces.

In one law office which I visited a number of circulars from Mexican and border state lawyers were shown to me. One of them, from an enterprising lawyer in Merida, Yucatan, was labeled, "How to Obtain a Divorce Fastly and at Low Cost." Its contents were equally amusing. The cream of the lot, however, was from a law firm in our own United States—from El Paso, Texas, to be exact. It set forth the handiness of mail order divorces, sold by the State of Chihuahua — fees $250 or $350, according to the model purchased, fifty per cent down and fifty per cent on delivery—delivery in 17 to 30 days. "No residence requirement is in force," the reader of the circular is informed. "It is not necessary that any party interested go to Mexico or appear before the court. A power of attorney to act is enough." The applicant for one of these divorces simply fills out an order blank, so to speak, sends half the fee, and waits for the mail to bring his decree.

With remarkable naïveté, however, the circular declares that these Chihuahua decrees are not mail divorces. Let me quote a paragraph in full:

> All the decrees and judgments rendered by the Mexican courts of divorce are recognized in the United States and in foreign countries. It is not true, and it is erroneously believed, that the Mexican divorce laws are contrary to morality and justice because all of said laws are in accord with the rules that regulate international practise in this regard and with the progress of modern legislation. *These divorces are not the so-called MAIL DIVORCES.*
>
> [The italics are mine.]

What pretension could be more absurd? Here is a court in a foreign country which presumes to pass down decisions for citizens of the United States who have never crossed outside our boundaries — decisions that frequently involve property and always affect two or more lives. If such procedure were "in accord with the rules that regulate international practise," it would be just as reasonable for Mexico, or any other country, to offer our citizens mail order marriages. More reasonable, it seems to me.



Marriage in one state is good in any other, but a divorce is not so universally accepted

The possible consequences of a wholesale repudiation of foreign and out-state divorces are somewhat appalling to contemplate. A considerable part of our population will be recognized as divorced in one state, while still married in another. Hundreds of men and women, who have remarried after Mexican, or Reno, or other out-state divorces, will become bigamists simply at the crossing of state lines. Their children will be either legitimate or illegitimate, depending on where they reside. It sounds incredible, but nevertheless it is exactly what will happen. There are plenty of examples of just such cases on the court records of the United States. Let's look at the Baker case.

In 1871, Frank M. Baker married Sallie West in the State of Ohio. Shortly thereafter they moved to New York where they lived together for about two years. Then Mrs. Baker returned to Ohio and obtained a divorce from her husband on the ground of "gross neglect of duty." Baker himself did not appear in the action, either personally or by attorney. It seems, however, that he accepted the Ohio decree, for in 1874 he remarried. Thereupon he was jailed for bigamy. The decision of the New York Court of Appeals, which heard the case, may be summarized as follows:

First—The object of a divorce action is to determine whether the parties to the suit shall be recognized as married or unmarried.

Second—The Ohio court might legally decide the status of Mrs. Baker in its own jurisdiction, since she had established residence in the state. It could not, however, decide her status in New York.

Third—As Mr. Baker was a citizen of New York, Ohio had no jurisdiction over him, and consequently he had not been affected by the decree of the Ohio court. Nor would its decree be recognized for Mrs. Baker, if she returned.

Fourth—The judgment of the Ohio court was an absolute nullity so far as Mr. Baker was concerned; and therefore

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that he was a married man at the time of his second marriage, duly, legally and logically guilty of bigamy.

Another case, which concerned the legitimation of two children, also came before the New York Court of Appeals, several years later. The Olmsteds had been married in New York, but the husband deserted after a few months, went to New Jersey, and participated in an unlawful marriage ceremony with one Sarah Louise Welchman. Two children were born to him by the Welchman woman. The couple then moved to Michigan. There Olmsted obtained a divorce from his legal wife, and went through another marriage ceremony with the mother of his children. A Michigan statute, similar to one in New York, provided that a subsequent marriage would terminate the illegitimacy of previously born children, so the Welchman-Olmsted children became legitimate in the first-named state. The question came back before the New York Court when Olmsted's father died, leaving property which was to vest in the son during his lifetime, and which was then to pass to the son's lawful issue. In Michigan, of course, Olmsted's two children would have been the legal heirs, but the New York Court held them to be illegitimate and hence not entitled to inherit. Why? Because Mrs. Olmsted No. 1 had not been a citizen of Michigan, but of New York, at the time of her husband's divorce action in the former state. Nor had she submitted to the jurisdiction of the Michigan court. Hence the divorce could not be considered valid in New York where Olmsted's father had lived and where the property was situated. Olmsted's marriage with Sarah Louise Welchman, consequently, was polygamous and void, and their children had not been legitimated by it. The United States Supreme Court affirmed the judgment.

THERE are phases of the question which have not yet gone up to the Supreme Court of the United States; but the main point seems to be settled, that no state is required to recognize a divorce granted by another state, or by a foreign country, to a husband or wife whose last home in wedlock was in the state which seeks to invalidate the decree. An exception arises, however, when both parties to an action voluntarily put themselves under the jurisdiction of an out-state court. This exception rarely operates because most out-state divorces are uncontested and formally ignored by the defendants.

To make the situation entirely clear,

(Continued on Page 157)

Scourge of the Tiger

(Continued from Page 141)

It had been Seabury's custom, as a law student, to stroll through Battery Park toward evening with friends and to argue such evils as poverty, oppression of the workingman, the degree to which the courts failed to give justice, the inequalities of taxation. On these walks he had often talked about Henry George and the obvious merits of his famous work, *Progress and Poverty*. Before long he had made the acquaintance of the printer who had come from the West to unsettle the accepted doctrines on taxation by saying that the state, not the individual owner, should profit by increases in land value. Believing, with George, that the single tax on land was the most logical source of revenue, Seabury declined the aldermanic nomination and assisted in George's campaign for mayor of New York. George died just before the campaign closed and soon the ranks of Single Taxers disintegrated. He would have been defeated in any event, for the respectables of New York loosely classified his program as socialism and rallied to put down such heresies.

This Week's Contributors

John S. Gregory, an experienced writer on political subjects, has contributed frequently to the OUTLOOK. His last article was *Mr. Woodcock Sees America.*

Frank Clay Cross, a former professor of sociology and economics at the Colorado School of Mines, lives in Kansas. At one time he was New England Director of the League of Nations Association and is now devoting himself exclusively to writing.

Somehow Seabury, although so closely identified with radicalism, escaped contamination in the minds of these same respectables. Such is one of the rewards of outward decorum. Two years later, although only twenty-six, he was nominated for the City Court by a fusion group and was defeated. In 1901, again sponsored by the enemies of the Tammany Tiger, he was elevated to this bench. In the interim he had observed that the poor did not obtain justice unless some one was willing to fight for their rights. One morning he came down the steps of the rectory to find two policemen abusing a boy whom they had arrested. Risking a beating, Seabury denounced them for their conduct and told the prisoner that his interests would be represented at court. He then proceeded to have the boy acquitted. The crusading continued from the bench. The new judge started an investigation of jury bribing which resulted in the dismissal of six clerks. Until Seabury arrived it had been customary for traction companies to avoid negligence damages by forcing gratuities upon jurors. During his first year or so on the bench, he also wrote a text, *Law and Practice of the City Court of New York*, which is still an authority on the subject. From this period on, Seabury's rise in judicial circles was swift. By 1907 he was a member of the Supreme Court, where he became nationally known as presiding judge in the second trial of Police Lieutenant Charles Becker for the murder of Herman Rosenthal. In 1914 he was elected to the Court of Appeals, the highest bench in New York.

It is clear, however, that Judge Seabury was never wholly satisfied by a judicial career. He was obviously successful. An associate judge said of him that "there may be justices who have had fewer reversals at the hands of the Court of Appeals, but there is none who has suffered fewer for technical error. When Judge Seabury has been reversed it has been because he had taken a view of the law which sometimes was more advanced than the Court of Appeals then was prepared to accept." His record demonstrates the truth of this. He was not content on the bench for two reasons: The first was the strain of liberalism which coursed through him and which had led to the affiliation with Henry George. The second is a desire, which he probably still has, for election to some important executive office such as Governor of New York. The courts could do a great deal toward alleviating misery, but a courageous and enlightened executive officer could do more. Like Theodore Roosevelt, Seabury declined to subscribe to the theory that the courts are sacred. The idea, he once said, "that the courts are immune from fair criticism is nonsense." Seabury never, however, endorsed Roosevelt's demand for the recall of judges or for referenda on judicial decisions. He feels that "common sense and humanity are taking the place of strict technicality in the law. Our law is not static, it is dynamic."

Seabury's advocacy of Henry George and the Single Tax was not the mere sowing of a liberal wild oat. He did not grow hidebound and conservative with the years. He is really a liberal, a fact

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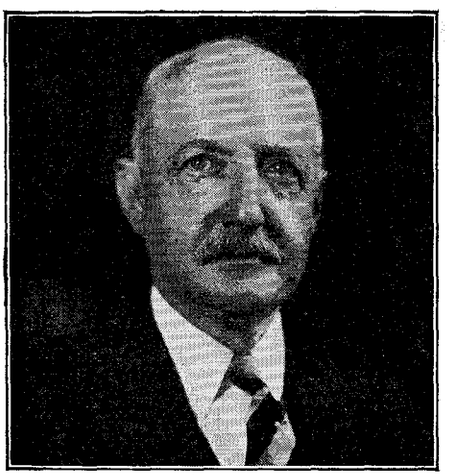
which must astonish some of the legal associates who see only his outward dignity. That such an appearance could hide yearnings, some of them denounced as subversive by such organizations as the Daughters of the American Revolution, seems impossible. That Judge Seabury could have voted for Bryan in 1896, 1900 and 1908 is incredible. That he could have rejected both Alton B. Parker and Theodore Roosevelt in 1904 is equally incredible. Such, however, is the record. Neither Parker nor Roosevelt was liberal enough for this distinguished jurist and he marked his ballot for Thomas E. Watson, the People's party nominee. When Roosevelt organized the Bull Moose drive in 1912 Seabury was, however, an ardent follower. In 1913, although Roosevelt's own ardor for the cause was beginning to cool, Seabury ran as a Progressive for the Court of Appeals. He was defeated that year, but ran again in 1914 and was elected.

Various influences worked for the dissolution of the Progressive party. By 1916 it was on its last legs and the liberals who had fought in the cause were turning, in large numbers, to the Democratic party. That year Seabury had a chance for an office he would really enjoy—Governor of New York. On the theory that he would draw heavily from the Progressive Republicans, he was nominated by the Democrats. He made a vigorous campaign against Charles S. Whitman, but he did not appreciate the importance of one influence which did most to kill the Bull Moose. This was Roosevelt's growing hatred for Woodrow Wilson. Seabury, because he wanted to do so and because he was the Democratic candidate, had to support Wilson. Roosevelt promptly turned on his one-time follower and urged the election of Wilson. The incident is supposed to have made Seabury extremely angry and there is a legend that he hurried to Oyster Bay and berated the astonished Roosevelt for his faithlessness.

THIS defeat made Seabury, at forty-three, an ex-judge of the Court of Appeals. He had, of course, resigned from the bench in order to run for Governor. He opened a law office, where he instituted the British system of accepting no retainers except from other lawyers. He prospered; any attorney in his prime with so distinguished a record would be certain to do so. In the Gould litigation, which lasted for almost ten years, he is supposed to have received $550,000. It is doubtful, though, that life was complete. He took up the usual cultural hobbies of a gentleman of wealth—fine books and bindings. He had a house in town and one on Long Island. He had saddle horses and played some golf. But he was, after all, a comparatively young man and he preferred greater action. For a long time the opportunity did not come, and it seemed probable that he might end his days in private practice. Then, about a year ago, he was on vacation in London. A cablegram notified him of designation by the Appellate Division in New York to undertake an investigation of the Magistrates' Courts in New York, and since that day he has heard, fairly



JOHN F. CURRY
Leader of Tammany Hall, who charged that the Hofstadter Committee was bent on the "Crucification" of the New York City government

constantly, the not unpleasant sound of the roar of the crowd.

How he sent judges tumbling from their thrones, how he exposed the activities of the vice squad and the degree to which New York policemen grafted upon prostitutes, how indictments were found and jail sentences imposed; all this has been spread through the nation by headlines. Then Judge Seabury was called upon to determine whether District Attorney Crain of New York should be removed by Governor Roosevelt on grounds of incompetence. He ruled, after prolonged hearings, that Mr. Crain might be classified among the less able prosecutors, but that his deeds of omission did not warrant removal. The current investigation, into the government of New York City, is the most important of all and upon it will rest Judge Seabury's fame and reputation. It is not only that the Tammany tiger has grown calloused; Seabury must also overcome a definite public lethargy regarding the wickedness of city officials. The hearings now in progress will bring their revelations of grafting. City officials will be exposed as men who have profited at the expense of the taxpayers. Mayor Jimmy Walker will again be painted as an exceedingly light-hearted, and perhaps a negligent, city official.

Thus far, Judge Seabury has done fairly well. Very calm as an attorney, confident and poised as a cross-examiner, he has thrown a good deal of light already on the Tammany Hall which came into power when Al Smith fell from influence after the election in 1928. He gave John F. Curry, the current boss of the Wigwam, some rather bad moments on the stand and brought from that harried dignitary the angry charge that the legislative committee was bent upon the "crucification" of the city government. He sent William F. Doyle, a former horse doctor whose persuasive ways with city officials brought earnings of $2,000,000 in a few years, to jail for contempt. A vast staff of investigators has been busy examining witnesses, bankbooks and payrolls. If, however, success is to crown the investigation the revelations will have to be more sensational. If Judge Seabury hopes, and he has given no faint indication of it, for public office he will have to send some rather important public figures to jail.

As a candidate for public office, if his life as a whole is considered, Judge Seabury has committed one grave error. He has been consistently liberal, and consistency is a dangerous trait in the political aspirant. He should, instead, shift his viewpoint with that of the party to which he claims allegiance. Nominally a Democrat, Judge Seabury has at one time or another been a Single Taxer, a Populist and a Progressive. He has been endorsed by the Republican party in fusion movements. He was even, in 1906, a candidate for the Supreme Court as the choice of Hearst's Municipal Ownership League. This alliance was short-lived. Seabury was denouncing Hearst before many years had passed. These heresies will rise to plague him should he, perhaps, desire the Democratic nomination for Governor if Franklin Roosevelt moves on to greater glory. He will be told that liberalism is all well enough but that party loyalty is a more pragmatic virtue. He will be roundly criticized because he was a liberal before he was a Democrat. His foes may resurrect a banner which fluttered over Broadway when he opposed Whitman in 1916.

"Seabury," this proclaimed, "has been a Single Taxer, Populist, Anti-Tammany Democrat, Tammany Democrat, Municipal Ownership Leaguer, and Independence Leaguer. He will be a Republican next."

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The Spotlight on Sports

Santa Paula's Victory

TEAM work at last won a polo title! Now polo is essentially a team game—at least in theory. So the English always insisted back in the days when Hurlingham, Roehampton and Ranlagh ruled the roost and John Watson and Walter Buckmaster were names to conjure with.

How America, taking full advantage of the abrogated on-side rule, smashed English combination play by sheer hard hitting, reckless riding, and rampant individualism is Meadowbrook history. Meadowbrook's "big fours" worked together smoothly enough but they didn't make a fetish of combination play. Our "star system" gave the individual free rein. Stevenson, Webb, Hitchcock, Milburn, Pedley, Guest, Hopping and the Waterbury brothers never hesitated to make a hell-bent-for-leather dash even at the risk of leaving their position zone unguarded. Slugging was glorified.

Santa Paula's victory in the United States Open polo championship last Saturday marked a return to the Watson theory of tactics. The invaders from Buenos Aires exhibited a nicely articulated brand of team work, featuring quick, short passes rather than prodigious clouts and long runs. Even in the heat of a particularly savage game the Argentine four didn't forget its compact, closely coördinated combination play.

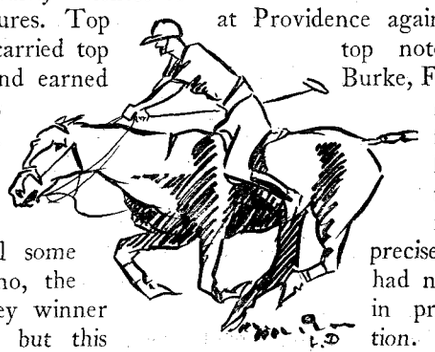
This smart synchronization was surprising when you realize the crippled condition of the Santa Paula team. Alfredo Harrington, regular number one, was on the side line nursing a fractured shoulder—suffered at a horse show, of all places! Andres Gazzotti, normally a defense man, tried his hand at number one. Manuel Andrada, captain and regular back, had sprained his arm in an earlier game. He had no idea of playing until literally forced into action by Harrington's last minute withdrawal.

That accident proved a blessing in disguise. Andrada, a beetle-browed, saturnine looking Spaniard, took his arm out of a sling and proceeded to play like a Tommy Hitchcock. A whirlwind through seven chukkers, Andrada capped the climax on an amazing afternoon by charging through the Hurricanes for two goals in the last minute and a half. He rode like a Gaucho. Here was the Spaniard who blighted Guest's young life!

Such internationalists as Roark, Guest and Laddie Sanford were outmaneuvered by the cagey dribbling and crisp, short shuttling of the Argentine four—a patched up combination, with a back at number one! Jose and Juan Reynal dovetailed as smoothly as you'd expect of two brothers who have been playing together for six years. Once the whistle shrilled Andrada forgot all about that sprained mallet arm. No wonder the crowd about the bulletin board on Avenida de Mayo—the Fifth Avenue of Buenos Aires—filled the air with bravos.

Top Flight

A FILLY wins the Futurity—richest of all thoroughbred fixtures. Top Flight, aptly named, carried top weight for her sex, and earned $94,780 for Cornelius Vanderbilt Whitney. Unbeaten in six races, Top Flight has picked up purses aggregating $162,830. She is still some $8,000 behind Domino, the all time leading money winner among two-year-olds, but this deficit can be overcome if trainer Healy elects to start her in the various autumn stakes.



Ten fillies, all told, have won the Futurity, but Top Flight is the first to be saddled at 127 pounds. She takes rank with such memorable mares and fillies as Beldame, Artful, Princess Doreen and Anita Peabody. In an era of feminine accomplishment, Top Flight's triumph is further evidence that the so-called lords of creation are losing their grip.

That a race for two-year-olds should boast a bigger purse than any other turf or track classic regardless of age is a commentary on the American system of starting 'em young. The English turf soft pedals juvenile racing, on the theory that immature horses are ruined by strenuous competition. Over here, the two- and three-year-old horses provide most of the action. America's best four-year-old thoroughbreds are frequently retired to stud. The Futurity is worth more than the English Derby, the French Grand Prix, the Belmont Stakes, the Preakness and the Kentucky Derby.

It is a breeder's race. Horses are entered at birth, on the strength of auspicious bloodlines. Potential winners are frequently overlooked in the nominations. Perhaps that explains why so few Futurity winners have fulfilled their early promise. Man O'War was an exception. He was never beaten on the square though he finished second once.

Dark Horses

GOLF continues to bedevil its unhappy newspaper prophets. Hard on the heels of the upset-garnished free-for-all at Beverly, where Francis Ouimet finally managed to turn back a bevy of unknowns, we have a topsy-turvy P. G. A. championship won by the twenty-year-old boy. Again form goes haywire.

Tom Creavy, Armour's successor as professional match play champion, wasn't even rated a dark horse when he teed up at Providence against such established top notchers as Sarazen, Burke, Farrell, Hagen, Espinosa, Diegel, Macfarlane and Mehlhorn. While the term "unknown" is rarely justified in its precise sense, Tom Creavy had never cut any figure in professional competition. His colleagues remembered hearing his name but that's about all.

Bookmakers would have laid one thousand to one against a P. G. A. final comprising Creavy and Shute—and they would have paid and paid! Densmore Shute, a minor member of the Ryder Cup team, bowled over Tom Armour and Billy Burke on successive afternoons. The Open champions of Britain and America were beaten by Shute's inhuman putting. Nothing like his streak on the greens has been seen since Jerry Travers was in his prime.

It is written in the gospel of golf—"he who lives by the putter shall die by the putter." Well, in the dark-horse final young Creavy up and putted rings

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around Shute. The latter lost the combination over night. He was looking hard at three-footers—and missing them last Saturday. Creavy must have found Densmore Shute's missing touch on and around the greens. The precocious champion chipped and putted his way to the title after being outplayed from tee to carpet fringe.

▸▸*Male Millinery*

ELLSWORTH VINES, our new tennis champion, wears a cap on the court. Just a habit, he says, acquired in California where sunshine is sunshine. "I'm not comfortable without that cap now," admits the lanky Pasadena boy, "it's got to be part of my game." The visor came in handy during those dazzling afternoons at Forest Hills, when wanton July climbed brazenly into September's lap —and stayed there.

Though tennis tradition inclines toward bareheadedness, some of the greatest players have affected headgear. Norman Brookes, if I'm not mistaken, was the first tennis top notcher to flaunt convention by sporting a cap in action. It was a dark brown tweed affair, such as motorists and golfers used to wear. You could tell how things were going with Brookes by the way he tugged at or fingered that cap. Pulled down low over his hawkish eyes, it meant grim business ahead.

Little Bill Johnston started wearing a cap toward the end of his tournament career. Billy had an ulterior motive—wanted to hide that rapidly widening bald spot. Barbershop wise-cracks have made men sensitive about their lack of hair.

Bill Larned may have been the tennis pioneer in the matter of head covering. I can see him even now in one of those white duck floppy-brimmed hats that college oarsmen wear when lounging about their quarters. Larned stuck to that washable chapeau through twenty campaigns.

Zenzu Shimizu, the grave-faced little Japanese, always played in a broad-brimmed Panama. Rene Lacoste looked cool and methodical in a white linen cap which accentuated his somewhat sallow complexion. Babe Norton, the eccentric South African, contributed a novel Beau Brummel touch by appearing in an immaculate pearl gray fedora. At intervals during a match he would doff this swagger head-piece, produce a comb from his pocket, and run it through his boisterous and unruly mop of kinky golden hair!

GEORGE TREVOR.

▸▸ The Week in Business ◂◂

▸▸*It Was the Heat*

OLD MAN WEATHER landed a short-arm punch on the solar plexus of business, and the seasonal spurt that had made such good headway suffered a severe setback. Retail buyers suddenly lost interest in the new autumn offerings and restricted their purchases chiefly to fans and drinks.

In some markets, however, the hot weather soon passed and there was a noticeable resumption of buying. Kansas City and Dallas appear to have felt the heat most. In Atlanta and several other important southern cities the retailers continued to ring up fairly good sales, even during the hottest weather.

Production in certain lines, including shoes and the textiles, slowed up slightly. Motor manufacture is being resumed, with demand centering chiefly in the lower-priced models. The steel plants are getting many inquiries, but actual orders are coming in slowly.

The investment markets encountered a heavy selling wave, due to unfavorable developments in the London financial situation. New lows were recorded for many of the leading issues. Altogether, the week was a sombre one. Business is hanging on, which is about all it can do until the tide turns.

INDICES

(A two-minute summary)

COMMODITY PRICES (Fisher's Index—1926 = 100) September 17—69.0. (Crump's British Index—1926 = 100) September 17—60.5.

CAR LOADINGS (American Railway Assn.). Week ended September 5—759,546 cars (reduction of 4,218 under preceding week and of 97,103 under same week of 1930).

STEEL INGOT PRODUCTION. Week ended September 12—30% of capacity (increase of 1.5% over preceding week; reduction of 28% under same week of 1930).

CRUDE OIL PRODUCTION. Week ended September 12—daily average gross 1,919,000 barrels (increase of 172,700 over preceding week; reduction of 500,750 under same week of 1930).

BANK CLEARINGS (as reported to Bradstreet's). Week ended September 17—$7,642,916,000 (increase of 52.4% over preceding five-day period; reduction of 22.3% under same week of 1930).

FAILURES (as reported to R. G. Dun & Co.). Week ended September 17—426 (increase of 30 over preceding five-day period; reduction of 71 under same week of 1930).

▸▸*One Cheerful Industry*

As a partial offset to the drabness of the general business picture, we are glad to report that the cellophane plants are still working at top speed, as they have been through most of the depression period.

During a recent visit to Nashville, after an evening meeting we were taken for a motor ride out to Old Hickory, to see Andrew Jackson's famous home, "The Hermitage." It was after midnight when we reached the town, but one part of Old Hickory was still wide awake—the cellophane plant, brilliantly lighted and with every machine and every operative hard at work.

What was it that kept that plant, and many others like it, busy on a three-shift basis in the midst of a business depression? A phenomenal demand for a new and widely used product. Requirements of the tobacco manufacturers alone would keep many cellophane factories in operation, but in addition there is a tremendous demand for this tough, clean, transparent wrapping material for candy and toilet articles, and new uses are being found for it nearly every day.

One frequently hears the remark that the cellophane makers are "lucky." We doubt the accuracy of that characterization.

▸▸*First American Business Man*

ROBERT IRVING WARSHOW, author of *The Story of Wall Street*, makes his second bow with *Alexander Hamilton* (Greenberg, $3.50), the thrilling story of the financial genius who deserves to be recorded as America's first business man.

Most modern biography either debunks or whitewashes the subject. Mr. Warshow steers a middle course. He has given us a satisfactory portrait of a man whose ideas still sway, in large degree, our national economic policies.

FRANK A. FALL.

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Prose and Worse

THE Hookers all over the country are rallying to the defence of the Captain. Not that he needs their help. But it must be a satisfaction to him to know that they stand in a solid phalanx behind him. And it is surprising how many poets there are in the family. Practically all of them have sent in verses—and very good verses too, though none of them are up to Aeneas at his best. There is one that we like particularly, and hope to find room for in a week or so. It was sent in by William S. Hooker, and begins:

"Let me not to the marriage of true minds
Admit impediments."

A very creditable effort, Mr. William!

All of these letters we have shown to the Captain, and he seems, as far as we can judge, pleased with them, but the following letter roused his ire:

"My dear Mr. Brooks:

I read in your last issue a poem written by my second cousin, Sapphira Hooker. I noticed also Aeneas' letter. He is quite right when he infers that he is a good fighter.

"About your note beneath the letter: yes, it's true, Bobby—that's his middle name—*did* have his poem printed once in the Arbor Day issue of a little Sunday School paper.

"Our family always was one to become famous. You may recall the poem called 'The Raven,' beginning: 'Once upon a midnight dreary.' Well, *I* wrote that. I forgot all about it, however, until grandmother found it in the attic. She had to write it for me; I was only three years old. Sincerely,

HESTER H. HOOKER."

☆☆☆☆☆☆

When we read this letter to the Captain—who has come on to New York to defend his good name by force of arms from those he persists in considering his calumniators, he looked up sharply from the brace of duelling pistols he was examining. "What's that?" he shouted. "Read that again." And then when we had complied: "Bobby!" he snorted, snatching the letter. "Bobby! *More* calumny! And from my own relatives, too! Do I look like a *Bobby?*"

Our candor was not assumed when we assured him earnestly that he did not. The rugged features, the piercing eye, the long drooping moustache—no, no; decidedly not Bobby.

"I know this Hester," he went on. "Pester, we used to call her. Oily little girl she was, always fillin' you up with palaver when you were around, and rippin' you up the back as soon as you turned it on her. It's just like her, tryin' to discredit me sayin' I wrote for a Sunday School paper. And sayin' my middle name was Bobby! Good enough name, I suppose. But not for a Hooker. Not for a man that's been what I been and seen what I seen. No, you don't want to take any stock in anything that Hester says. We never say much about it in the family, of course, but the truth is she ain't got all her buttons. Bobby, indeed! Pass the bottle."

The Captain always concludes what he is saying with this quaint remark, whose meaning is a mystery to us. We might ask him, of course. But one doesn't ask Hooker questions. Like many of the habits of this remarkable man, it is better to pass it over in silence.

☆☆☆☆☆☆

Maurice Sagoff's latest offering:

"I would not have Chicago destroyed. I would rather see London wiped out . . . ."—*Edgar Wallace.*

Say, shall we have Chicago razed?
"No, no!" cries Edgar Wallace.
"However low it be appraised
As passion-mad and pleasure-dazed;
Its yeggs however murder crazed
By deeds however lawless;
If *someplace* has to get 'the spot'
I'd rather it were London, not
Chicago, though the latter's vi-
Olence may well appall us;
—Spare the 'rod' and spoil not Chi!"
Warbles Edgar Wallace.

Shall modern writers be destroyed?
—May no such fate befall us!
Yet if a few *should* be decoyed
To Lethe, I'd be overjoyed
To grant Schmalhausen, Joyce, and Freud
Before I'd forfeit Wallace;
Though, true, he holds the record for
The literary shot-put,
His cops and robbers never bore
(Unlike Zane Grey and Peter Kyne
And Ethel Dell and Gertie Stein
And many more
Who'd form my line
Were authors "on the spot" put!)

WALTER R. BROOKS.

The Latest Plays

THERE is still no urgent reason to tear yourself away from your backgammon or contract or whatever you do on sultry September evenings in order to patronize what is sometimes laughingly referred to as the legitimate theatre. If it's song and dance you want, it's right there for you—especially since the advent of Mr. George White's 11th *Scandals*—but the straight plays are emulating the stock market in setting new lows each day.

Singin' the Blues comes the nearest to being a satisfactory entertainment of the new offerings, but I am not sure whether it should be classified as a musical or as a melodrama. Its locale is negro Chicago and Harlem and although there is a bit of shooting followed by the intervention of a couple of the most unbelievably dumb detectives to be seen on any stage, the action is constantly plausibly interrupted by songs, as the heroine is a night club singer. In addition to her there are Eubie Blake and His Orchestra, the Lindy Hoppers, the Four Flash Devils, Bruce Johnson's Washboard Serenaders, Wen Talbot's Choir, three night club entertaining teams and a full-sized chorus, so you can see why I hesitate to call it animal, mineral or vegetable. John McGowan wrote the somewhat obvious melodrama and Jimmy McHugh and Dorothy Fields the songs. However, it is to the cast—all colored except for the two detectives—and to Donald Oenslager, who did the sets, that the honors of *Singin' the Blues* belong. As a man who killed a policeman and is harried all through the play, Frank Wilson is as real and moving as his lines allow him to be. Those who saw him in *Porgy* will remember him as being a fine actor; he still is. Looking like an only slightly dusky combination of Estelle Taylor and Helen Morgan, Isabell Washington is very effective as the blues singer and her sister, Fredi, is a seductive double crosser. The low comedy of Mantan Moreland is another recommendable feature. In fact, had Mr. McGowan's story been a bit less hackneyed, *Singin' the Blues* would have been a grand show. As it is, the treatment it gets lifts it very much out of the ordinary.

George White's *Scandals*, however, are the real news of the week. Spotty though the material undeniably is, so expert are Willie Howard, Ethel Merman, Everett Marshall, Ray Bolger and even Rudy Vallee that they repeatedly manage to make one completely forget all about that. Believe it or not, the famous crooner is, on the stage, unpre-

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tentious, effective and on several occasions funny on purpose. The show has fine pace and even some of the sketches are amusing without being too crude. Apart from a pretty goofy first act finale the only apparent weakness in the *Scandals* is the lyrics of the songs. Nevertheless, so catchy are the tunes, so pretty the girls and so laugh-provoking, handsome, capable or beautiful the principals you really ought to put it on your list.

What made Chester Erskin go to all that bother about *I Love an Actress* is pretty mysterious. He adapted it from the Hungarian of Laszlo Fodor into something slightly resembling English; he produced it himself although the Erlangers, his usual backers, would have none of it; and he directed it. His casting was ridiculous in the most important rôles, there was no style or tempo in his direction—only an insistence on distracting and unessential details—and even Jo Mielziner had a lapse and designed settings which would have swamped a far more vigorous play. However, I have great doubts as to *I Love an Actress* being very good. It serves to strengthen my suspicion—started by *Subway Express* and deepened by *Stepdaughters of War*—that Mr. Erskin's reputation as a director is founded on the fact that for his first production he stumbled on a fool-proof play. *The Last Mile*, for which he received such praise, belongs in the category that includes *Journey's End*. They are both written with such sincerity, simplicity and actual knowledge of their subject matter that no production could quite ruin them. Even Chester Erskin's attention to detail does not cover the English language, to which he is tone deaf. Such clumsy, warped lines and so many varieties of mispronunciation I'm sure have rarely been heard on Broadway.

The other offerings of the week, *Fast and Furious*, a negro revue, and *The Constant Sinner*, by and with Mae West, are, if possible, of even less importance. For about twenty minutes the darkies in the former are allowed to be themselves, but most of the time they are forced to sing second-rate Broadway-Hebraic songs with dismal consequences. As for the West exhibit, she doesn't seem to have succeeded in getting the police in this time, so the thing will probably shortly disappear into the oblivion to which such things deserve to attain. Let's all hope for relief in the very near future. With plays by or with Somerset Maugham, Alfred Savoir and Charles Laughton scheduled for next week (as I write) it may be at hand.

OTIS CHATFIELD-TAYLOR.

The New Movies

The Guardsman

ALFRED LUNT and Lynn Fontanne, the bright, bright lights of the Theatre Guild, make their talking picture début in this. Mr. Lunt gives an active and generally entertaining performance, and Miss Fontanne does her best under handicap—the handicap being the camera, and a part that does not permit her to prosper too fully. The story, as you must know by now, deals with the actor in that gay Vienna who made love to his wife disguised as a guardsman to settle some doubts he had in his mind as to her fidelity. Due to his inflated ego he comes to a happy conclusion, but the audience is permitted to leave the theatre wondering. The dialogue is gay and very amusing, but "The Guardsman" is not—shall I say—very cinematic. It is a fairly well photographed stage play, that would have been just about as good by television as by camera.

Side Show

This has two débuts, one good and one painful. Charles Butterworth, comic superior, does handsomely, and Winnie Lightner bursts forth as a dramatic actress. Hers is the other début. Don't bother to go and see either. "Side Show" is very bad.

The Brothers Karamazov

To make my point, consider the old favorite dealing with the glum antics of the Karamazov clan. Made in Germany, and in German, by Terra, this one has all the flow, effective lighting and detail peculiar to a well done film. As for the tale itself I can only extend my hoopla to the first hour of the film. In the first place the story has been heard before, in the second place it drags and, lastly, the producer threw away his good effects and relapsed into the set, slow pace of most films at the very end. The Germans are inclined to be a touch flat-footed in their story telling. Anna Sten was fine as Gruschenka, and her support was excellent.

In South America the language problem of films is solved by inserting Spanish subtitles. Why doesn't some importer of foreign films try the same plan in this country? You can get the drift of Karamazov without them, but largely, I expect, because the story is so well known.

My Sin

You probably would be warned by the title without my having to tell you that here is another bowl of Hollywood mush. Miss Tallulah Bankhead, recently imported to these shores from England by Paramount, and probably at great labor and expense, plays the lead. She fails to demonstrate whether or not she is an actress, but "My Sin" failed to give her the chance. The dialogue sounds as if it might have been written by Horatio Alger gone a touch pixie. Some of the worst, lads, some of the worst!

Five-Star Final

Here is a rousing, ripping attack upon tabloid journalism that you should indubitably see. It is highly theatrical, with a plot of slight credibility, but none the less the idea gets over, and with a smash.

The *Gazette*, tabloid, finds its circulation dropping. To revive it the tale of a murder committed by Nancy Voorhiis twenty years back is told. The murderess, respectable and married, has this thrown into her life the day before her daughter is to marry. She and her husband commit suicide, as the parents of her child's fiancé break the engagement.

There is a rare viciousness to the unfurling of this film that leaves you a little haggard at the end. Edward G. Robinson is superb as the managing editor of the sheet, and Marian Marsh as the tortured daughter of the murderess is excellent. The others fit in most suitably.

To repeat myself, here is a picture with meat to it, a rare accomplishment.

OLIVER CLAXTON.

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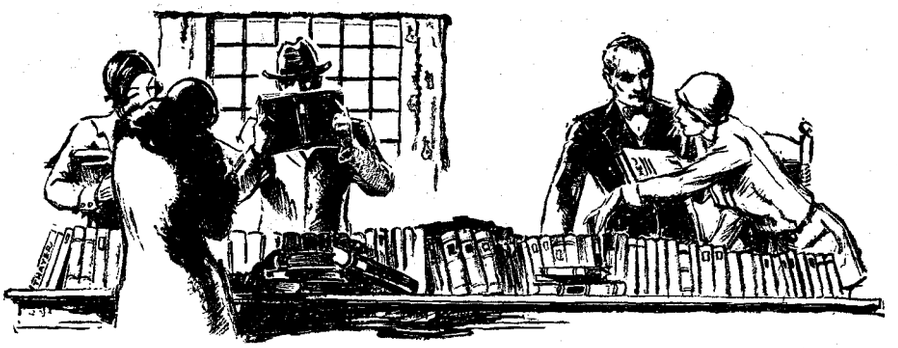
The New Books



The Week's Reading

The Scientific Outlook
By Bertrand Russell
Norton, $3.00

All literature is based on life. Approach the Professor of Literature with some novel theory or hitherto unheralded statement, and he bubbles over with skepticism. He wants to see the original, to investigate the handwriting. He takes nothing for granted. Go to the same Professor, however, with a morsel of gossip about some colleague, and he accepts it without reserve and repeats it without delay. The former is the scientific method which Mr. Russell champions with such clarity and competence in this book, itself so full of goodness and life. The latter is the human method at which he levels his fatal shots. If he slays an occasional Eddington or Jeans, he disposes of loose, windy and prejudiced talkers by the thousands. The first part—there are 277 pages in all—explains in 5 chapters the scientific method, the second part elucidates, in 6 chapters, the rôle of science in technique, nature, biology, physiology, psychology and society, the third, in 6 chapters, predicts what the world may be like in a few more centuries if science sees fit to become tyrannical. There is nothing either dull or dumb in the entire volume. Whereas art and religion have both wielded a formative influence on the lives of men for thousands of years, science, starting with Galileo, has been effective for only three centuries and, Mr. Russell contends, has proved more explosive in the last century and a half than five millenniums of pre-scientific culture. The book is so convincing that, were Mr. Russell to welcome all that science is after, there would be room for anguish and despair. But he does not do this; he is in fact extremely modest. He himself bemoans the day that science may be allowed to take the joy out of life and living. His sole defect lies in his inability to suspend judgment on all issues including the purely cultural ones. It is not true that ninety per cent of all civilized peoples would starve if they took Rousseau's "return to Nature" seriously. Rousseau meant by his heavy command nothing more than "Be yourself," be natural. His assertion that the Jesuits were the first Freudians, with a mild leaning toward the behaviorists, will not be accepted by the followers of Loyola without protest. That the Arabs had to make fewer readjustments when they succumbed to Mahomet than the American people when they subscribed to Volstead is true only for certain Arabs and certain Americans. As to his prophecies, Mr. Russell should remember that Dante in his *Divine Comedy* had the heads of the prophets wrenched backwards as punishment for their presumptuousness. And to set down Aristotle as one of the greatest misfortunes of the human race is merely amusing. It was not Aristotle's fault, it was the fault of his followers who twisted his words so as to make them compatible with their own wish-fulfilments. This applies even to the Aristotelian unities in drama. But even so, this book should be read by every person interested in increasing happiness and decreasing distress.

ALLEN W. PORTERFIELD.

The Life and Times of Marc Antony
By Arthur Weigall
Putnam, $5.00

With the scientists assuring us that the world has been a few million years in the making, it seems like a brief vacation back to the lusty Roman days when Consuls pulled the hairs from their bodies with tweezers so as not to resemble O'Neill apes, when Cicero was murdered, Caesar assassinated, and Cleopatra and Marc Antony done to death because their love was enduring. The 475 pages of Mr. Weigall's superb volume tell the story of those times with a succinctness and objectivity that cannot be too highly commended. His main sources are Plutarch, Don Cassius and the contemporary Roman writers. Where the evidence is lacking the author conjectures, but never wildly or dogmatically. The reader may be surprised to see Mr. Weigall coming so gallantly to the defence of Cleopatra with "her rather prominent though finely chiselled nose." He regards her as a woman wholly superior to the average in mental attainments and general intellectual equipment and not without her redeeming features in moral matters. His final chapters dealing with her death and that of Antony are intensely dramatic and not at all theatrical. If the book becomes mildly tedious on any count, it is in the protracted rehearsals of the many battles that distracted the age. But the study was written primarily to show that great nations don't rush off to war because of the silly ambition of some sideline scion or diplomat's wife. The study departs radically from those by Ferrero and Ferval, neither of whom enjoys Mr. Weigall's familiarity with the field.

ALLEN W. PORTERFIELD.

The Coming Forth by Day of Osiris Jones
By Conrad Aiken
Scribners, $2.00

From a universal aspect the life of a man is no more than a brief flash, a meteor upon the horizon, a momentary light that blazes and burns out before your eyes. The incredible swiftness and brightness of life in its passing are set down in an entirely new way by Conrad Aiken in this most unusual book. In it the life of a man is told by a series of reflections, impressions and reverberations among all those things that surround him and are for a moment changed by his being.

Conrad Aiken's book is a poem in fifteen short sections, which tell consecutively the whole experience of the man Jones. First there is the stage set for the event of his birth, then his growing consciousness of all around him. You have the costumes he wears, the comments made about him by people, by things, by places. You see him evolve through ever-changing stages of physical, emotional and spiritual growth to young manhood,

Fiction Worth Reading

The Corn King and the Spring Queen, by Naomi Mitchison: Harcourt, Brace. A highly readable historical novel which vividly recreates Grecian civilization in the third century B. C.

Pan's Parish, by Louise Redfield Peattie: Century. A charming and exotic tale of the strange happenings in the little Provencal village of Fantosque.

Shadows On the Rock, by Willa Cather: Knopf. A charming, sensitive picture of life in Quebec in the days of Frontenac.

The Story of Julian, by Susan Ertz: Appleton. Young love and its problems in an English village, by the author of Madame Claire and The Galaxy.

All Passion Spent, by V. Sackville-West: Doubleday, Doran. A witty and lovely fantasy of old age.

NON-FICTION

Coconut Oil, by Corey Ford: Brewer, Warren & Putnam. June Triplett's latest adventures told in the manner of the best known African explorers.

The Tragic Queen, by Andrew Dakers: Houghton Mifflin. Lovers of English history will enjoy this excellent biography of Mary, Queen of Scots.

Washington Merry-Go-Round, Anonymous: Liveright. Official Washington irreverently and entertainingly exposed. The Congressional Library's present most popular book.

Living Philosophies, A Symposium: Simon & Schuster. The personal credos of some of the world's foremost thinkers.

Most Women, by Alec Waugh: Farrar & Rinehart. Anecdotes and impressions suggested by the author's wanderings in many countries.

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where he studies, speculates and drifts through a maze of happenings. He pursues many women, falls in love with one, travels, has moments of joy and despair, and then, still at the beginning of life, he contracts an obscure and fatal blood disease and is thus cast back into outer darkness, leaving behind him no more than a train of impressions, of gradually subsiding reverberations of his passing.

When a man died in ancient Egypt his friends used to set down in writing all the fine and beautiful things they could remember about him, so that these might be presented as evidence before the Tribunal of the Dead, at which all souls were judged. In their pleading the dead man was always referred to as Osiris, and the writings about him were gathered together and known as his "Book of the Dead," which described his "Coming forth by day," his brief transit through life. In much the same manner as that of the past, Conrad Aiken has by external comment made plain the short, tragic and divine coming forth of Jones —of any man—as told through all his objective surroundings. The method as he uses it is so complex and so concentrated that you can only wonder at the completeness of the final impression. What you see is Jones reflected and refracted, viewed by many mirrors, seen from many angles. Here are all the rooms that have known his presence, all the impressions of his trysting-places, the feelings he has in self-speculation, the enticements that draw him out, the prohibitions that hold him back, and the technical medical report when he is dying of purpura, due to extravasated blood. Each series of refractions describes him in motion yet trying to grasp at something which is not transitory, until the concluding poems give a final summary, and his own mind speaks out a hopeless and aspiring justification for his life. Then the landscape through which he has moved closes over and is the same as it was before he came.

The book is a new statement, in terms of poetry, of much of modern philosophy; it shows man as the meeting-place of irreconcilable forces, the being wherein are fused the permanent and impermanent, the moving and static, the mortal and divine. Aiken has done a tremendous thing in very small space, and done it beautifully, putting into it some of the finest and most poignant of his poetry. All in all there is no other writer today who can handle the subjects and concepts that Aiken handles, nor any one who can come near to him in subtlety, in philosophical power, and in the sheer unearthly music of language in which his work is cast.

BERNICE KENYON.

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"He provides us, with singular charm and persuasiveness, with an announcement of practical salvation, into which all men of good-will can enter...This is an extraordinarily competent exposition of political modernism, full of good things..."—George E. G. Catlin, in *The Nation*. $2.50

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Lucian, Plato and Greek Morals, By John Jay Chapman Houghton Mifflin, $2.00

The title page gives no slightest indication of the entertaining quality of this delightful book. One need not be a classicist to enjoy it. Lucian was humorist, play-writer, essayist—in our day he might have been a columnist. He wrote much, but little has survived. Certainly he did not write for young ladies' academies. Mr. Chapman points out that there should be a meeting place for scholarship and literature. The college professors (with a few notable exceptions) have by scholasticism and grammar drill driven their pupils away from the classics as literature. I remember one instance of a professor who read aloud to his class a running translation of his own from the Odyssey, not for examination but to show them that it was a corking story as well as a beautiful poem. But such instances are rare. Just now the classics are "out," but there will always be those who will read Homer and Plato and Lucian. Philosophically Mr. Chapman's discussion of Plato and Lucian is enlightening and highly readable. As to "coarseness" our author remarks, "It was Lucian who first taught that delicate subjects should be handled without gloves—the only antidote that nature provided for false delicacy is honest coarseness."

R. D. Townsend.

First Person Singular By Somerset Maugham Doubleday, Doran, $2.50

There is something sinister about Mr. Maugham. He has an evil eye. He could probably, if put to it, spot a particle of soot in your cerebellum; he undoubtedly sees the slivers buried in your soul. He might not win a degree as professional psychologist. His hypotheses may be groundless; his assumptions, absurd. Yet, here again, in this new collection of short stories, he stings you with a tart, convincing truth. Take, for example, the tale of well-preserved Mrs. Tower and her fusty, widowed sister-in-law, Jane Fowler. The two ladies are of an age, past fifty, but no one would believe it, meeting them together. Mrs. Tower sits patiently befriending the billowy, Victorian Jane who, peering over her spectacles, drops flat, unjesting observations upon the world as she sees it. A year or so later Jane has London's men of destiny at her feet, while the charming Mrs. Tower is only included at important dinners because she is related to Jane. Mr. Maugham's account of this paradox has the dry, inexorable quality of a comment by God. Four of the other stories reach an equal peak of achievement. Only one falls short of it, and that one, called "The Creative Impulse," built around a literary lady, ventures, perhaps unrealized by Maugham, into the blatant world of burlesque. The first person singular, i.e., the author's beautifully matured ego, dictates a stream of such piercing worldliness that you sometimes quail. Simultaneously, however, you feel that you and Mr. Maugham have a certain canniness in common, lacking to the rest of the world. You enjoy, therefore, for his mentality, an overwhelming respect. He is, in truth, a proud, mysterious cat.

Virgilia Peterson Ross.

Old Philadelphia By George Gibbs D. Appleton and Company, $5.00

These four slim volumes echo the tradition of Mrs. Wharton's stories of social New York but they echo it feebly. Where Mrs. Wharton was able to convey the atmosphere, the prejudices and the customs of her city by implication, concerning herself more obviously with the psychology of her characters than with their backdrop, Mr. Gibbs leans his weight upon history and upon local color. He chooses, for his tenuous plots, certain critical moments in the development of America, such as the revolutionary period and the early stages of the movement against slavery. He lavishes the tales with accurate items of dress and speech, with famed personages and known facts. Irony does not poke its venomous head into the pages to sting them with meaning. No subtle turnings of action and reaction restore his settings or give them the semblance of life. Washington's Lieutenant, Tom Kearney, and Stephen Girard, the despotic merchant; the autocratic Quaker, Jared Sanderson and Hugh Gorson, the southern philanderer who stands in defense of slaves, these four figures link, for Mr. Gibbs, his interpretation of history to his feeling for romance. They do not, however, press themselves upon your consciousness with human fluency. They, and the people with whom they grow entangled, remain frozen stereotypes. *Old Philadelphia* provides you a series of bright, conscientiously attractive facsimiles, designed to confirm the history books in their account of American characteristics.

Virgilia Peterson Ross.

Behind the Blurbs

The Devil Man By Edgar Wallace Crime Club, $2.00

Charles Peace was one of the cleverest and most devilish villains in the history of English crime. Mr. Wallace has made an interesting novelization of his story. But we'd like to object to the statement on the jacket that "if Dickens had written a story of pure crime, this is much the sort of book it would have been." Dickens did write about crime, and it is not at all like this. Wallace is not a second Dickens, as he would be the first to admit, and it is silly of the publishers to attempt to glorify him in this way.

The Eagle's Shadow By Arthur D. Howden Smith Lippincott, $2.00

New York in 1821 is the setting of this story of a plot to rescue Napoleon from St. Helena. Hero Charette throws up a forest running job with Mr. Astor to sail with Gipsy Ben, who knows a secret way up the island cliffs. But Villain de Machecoul, aided by Dash, pugilistic Bow Street runner, keeps getting in Charette's way, even to the extent of alienating his best girl's affections, and it isn't until after several fights and a duel—with Aaron Burr as second—followed by astounding disclosures by Charette's mother, that matters get straightened out. And by that time Napoleon is dead. Stock pattern historical novel, with the usual misspelling of foreign words.

Fishers of Books By Barton Currie Little Brown, $4.00

An entertaining account of the experiences over many years of a bibliomaniac whose collection contains many English and American literary rarities. Holds much information of interest to seasoned collectors, as well as to beginners, and there are many useful illustrations. The reader, however, is likely to gather the impression that collecting is a hobby that only the wealthy can afford to pursue, and this seems a pity, since there are so many interesting fields open to the collector of small means.

Walter R. Brooks.

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From the Life

Without Words

On the day that she and her son sailed for that new land she clutched her shawl closely about her dark face and held tightly to the railing of the ship. Presently her own country was like the spot where they had buried her husband, no longer to be seen except in her heart. But still she looked and looked as though to look away would be to lose it forever.

And even as she tried to hold it she was comforting herself for what she was doing. It was right to come away. It was right for her son. He was already big and strong, though only half grown. Already his own country could not give him enough to do; the schools could teach him nothing more, without money. There was only one country where her son could find the life he was looking for. Could his mother do less than take him there?

When they came to the new country they found city streets stretching for miles where they had been used to looking out at meadows. And in place of tending flowers and chickens she learned to spend her days scrubbing other people's floors. But she learned too to give thanks to God; even for the dust and dirt she thanked Him. Did the sad, helpless dirt not give her work to do? Did it not provide her with money with which to feed her son?

Soon he would be grown up and successful. He would have his own business—he would become, perhaps, one of the rulers of this great country.

Her thoughts would go running ahead to those days that were coming. She would have time then to learn this new language, to take a day off perhaps.

Well, he was grown up one day at last. She understood that very well, for it was the day he left her. And so she laughed and kissed him, brushing his coat, patting his arm. She did not press her hand tight against her heart until he was quite gone down the street; nor sit staring at the window until long afterward; nor weep until it was nearly day with no chance now of his returning.

But he was a good son and wrote her long letters in their own language. "Blessings on my mamma," was the greeting that would fly to her eyes; and "business not so good in this town, but maybe better in the next." What a traveler he was! And already a business man.

At last there came a letter from a town far south. "I am far south," he wrote her, "in this beautiful city. Doing well in my own business. Living in a big house. Working hard, but filled with homesickness for my mamma." Before she could finish the letter she must be on her knees giving thanks!

But the next letter said he was sick—was very ill, and hoped he would not die.

As quickly as she could dress, snatch up her pocketbook, and find the railroad, she was on a train. There was enough money, she had found, having brought all she had. There would be five dollars over, even, with which to buy him oranges—or soup. The country, so long hidden from her, ran like a stream of beauty before her eyes; but she could scarcely see it for pushing it behind her, in her eagerness to reach him.

Knowing only her own language she spoke to no one on the journey. Only when she reached the southern city did she show her precious slip of paper. "That's at the Post Office," she was told.

She reached the Post Office at last, her knees weak beneath her. Inside she showed some one her little slip of paper.

"Oh! that's the number of a box," said the young man, and stopped and looked at her strangely. "No English?" he asked her gently. She shook her head.

He took her to another young man, and then another. Presently there were at least six of them all looking after her. They patted her hand, her arm, and smiled as though they were old friends.

And then the interpreter came in. He was a quiet, kindly man, but he had to tell her, he said anxiously, that the box from which her letter came belonged to the prison. Her son was in prison.

She closed her eyes for a moment, thinking she was going to fall. But something that was all about her—some strange understanding—held her up. She opened her eyes then and saw that it was something in the faces of these young men, who had been strangers and could not speak her language.

"It makes no difference where he is," she told the interpreter, "or what he has done. Or that he is in prison. He is my son and I must see him."

She didn't understand what followed. Even when the interpreter told her that everything was all right—that these young men would take care of her—all through her visit, even then she sat there in a kind of wonder; seeing that in every country there was a language that had no words.

Ibby Hall.

When Is a Divorce?

(Continued from Page 148)

let me cite one more case in which the Supreme Court of the United States did not sustain the decision of a state court. It is the celebrated Atherton case. The Athertons were married in 1888 at Clinton, New York, but immediately after the wedding they went to live in Louisville, Kentucky. Three years afterward, Mrs. Atherton left her husband, "owing to his cruel and abusive treatment," and returned to New York. A year later Mr. Atherton brought an action against her in Kentucky for an absolute divorce on the ground of abandonment, and obtained a decree in 1893. Then Mrs. Atherton sued in New York on the ground of cruelty, and the question arose as to whether the Kentucky decree was a bar. The New York Court of Appeals said it was not, and that Mrs. Atherton's matrimonial status had not been disturbed by the Kentucky action.

The case was appealed to the Supreme Court of the United States which reversed the decision of the Appellate Court. Since Louisville had been the last joint home of the couple, the federal court ruled that Kentucky had jurisdiction over the matrimonial status of the wife as well as the husband. This decision is important in that it further establishes the right of each state to adjudicate domestic difficulties arising in homes within its own boundaries. That is the right which the states of the East and middle West are now out to defend against the usurpation of courts in other states and other countries.

I found very few members of the bench or bar, on the other hand, who contend that out-state divorces should be abolished altogether. What they advocate is a uniform divorce law, which will prevent the gross commercialization of domestic discord by any state, and discourage separations which are merely formalities to legalize promiscuity. For many years the American Bar Association has advocated such a law, but virtually no progress has been made toward its realization. The annual conferences of state governors scrupulously ignore this issue.

It will not stand to be ignored much longer. Already there is a possibility of innumerable legal tangles a few years hence, when the estates of men and women who have obtained out-state divorces in the last two or three decades begin to come up for settlement. One wonders if the field is not already a fertile one for blackmailers.

It is to be hoped that a solution may come out of the interstate warfare now

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brewing. When the army of divorce-seekers, who now pour a stream of wealth into the pocketbooks of lawyers and court officials in Reno and Mexico and a dozen other places, come to realize that the decrees they have purchased are mere scraps of paper, more worthless than the treaty which the Kaiser consigned to the waste basket, there is bound to be a reaction. The humiliation of countless women who will wake up to the fact that they are legally recognized as mistresses instead of respectable wives; the chagrin of numerous men who discover that they are liable to indictment for bigamy; the unenviable plight of sons and daughters who learn that they have been born out of lawful wedlock—these sad results of the chaotic situation now prevailing must win our sympathy. But what can be done about it? The sooner the matter comes to a head, the better.

Roosevelt: A Biography

(*Continued from Page* 145)

trate and who watched the 1886 campaign, left a memorandum before he died stating that he had "always felt certain that Henry George won."

The vote was close enough to justify suspicion of an alliance against the common enemy. Hewitt won with 90,466 votes. George received 67,930 while Roosevelt was third with 60,477. Roosevelt had been apprehensive that he would not do well. He told Lodge that he had made "a rattling canvass, with heavy inroads on the Democratic vote; but the 'timid good' are for Hewitt." He was correct about the "timid good." Roosevelt's vote of 60,000 compared badly with the normal Republican vote of between 75,000 and 80,000. This demonstrated that members of his own party had preferred Hewitt to Roosevelt.

"I do not believe," recalled the late Brander Matthews, "that we were really more afraid of Henry George than we were of Theodore Roosevelt's youth."

Roosevelt found consolation in the belief that "at least I have a better party standing than ever before." It is doubtful whether he had. A good many years were to pass before the demand again came that he run for office. *Puck*, in May, 1887, published the political obituary of Theodore Roosevelt:

> Be happy, Mr. Roosevelt, be happy while you may. You are young—yours is the time of roses—the time of illusions. You see not the rouge on old cheeks, the powder on the wrinkled forehead . . . Do not let it annoy you if we smile . . . . You have heard of Pitt, of Alexander Hamilton, of Randolph Churchill, and of other men who were young and yet who, so to speak, got there just the same. Bright visions float before your eyes of what the Party can and may do for you. We wish you a gradual and gentle awakening. We fear the Party cannot do much for you. *You are not the timber of which Presidents are made.*

Although not quite as dark as the editor of *Puck* believed, Roosevelt's political future was dubious as he returned from his honeymoon in the spring of 1887. Three defeats within two years had damaged his standing; the inability to block the nomination of Blaine, the defeat of Blaine after Roosevelt had supported the party nominee, the unhappy mayoralty campaign. The last was the most serious. It revealed that there was no magic in the Roosevelt name. So, as he had before sought to lose himself in the Bad Lands, he now attempted to submerge his yearning for public life in his writing.

". . . . Mind you," he told Brander Matthews, "I'm a literary feller, not a politician, nowadays."

Again his efforts were futile. Roosevelt's gnawing hatred of the Mugwump independents made it impossible for him to withdraw into a literary cloister. He was yearning to "take a hack at the estimable Godkin," to "give the Mugwumps something to howl over. I am in for war to the knife with the whole crew." By his truculence and too obvious wrath, Roosevelt delivered himself into the hands of Godkin, and during spring and summer of 1887 that vitriolic editor made the most of it. It had been a mistake "even to take him seriously as a politician . . . . his chatter-box abuse of the Mugwumps continues . . . ." Roosevelt made one address that summer, an attack on Henry George, who had been nominated for Secretary of State on an independent ticket. He said that "it is only a step from land confiscation to anarchy," that it was to the common interest of all Americans that "the Chicago dynamiters be hung." It did not matter to him that George had never suggested land confiscation and at no time had urged clemency for any who might actually be guilty of the Haymarket bombing.

Roosevelt's literary output between 1884 and 1889 was large but not distinguished. His *Hunting Trips of a Ranchman* appeared in 1885 and received enough attention, partly through surprise that an American politician could be an author of any kind, to earn a friendly review in the London *Spectator*. Further accounts of life in the West were first published in *The Century* in 1888 and then as *Ranch Life and the Hunting Trail*. These books sold only moderately; a royalty statement from G. P. Putnam's Sons among the Roosevelt papers shows that about 3,000 copies of the first were disposed of.

In March of 1886 Roosevelt was working feverishly, far too feverishly for a historian, to complete a biography of Thomas H. Benton. In 1888 came another biography, of Gouverneur Morris. During this period, also, he was completing *The Wilderness Hunter* and a *History of New York*. All in all, unlike the *Naval War of 1812* or the three-volume study, *The Winning of the West*, which were based on sound research, these studies reflect small credit on Roosevelt as a historian. They were too superficial; a letter to Lodge revealed that *Thomas Hart Benton* had been completed in less than three months. More serious was Roosevelt's loss of the objective touch which, in judging the work of others, he believed essential to history. Hatred of the Mugwumps poisoned his pen; he attempted to find in political history precedents for the conduct of Lodge and himself in 1884. In Benton there were numerous thinly veiled reflections upon the miscreants who had dared to vote for Cleveland. In the same book, Roosevelt's growing jingoism was so apparent that *The Nation* commented upon it.

To indicate that Roosevelt was unhappy during these years would be inaccurate. He was busy. He was enjoying his new home, Sagamore Hill. He had his horses and he organized a polo club among friends on Long Island. Cecil Spring-Rice, attached to the embassy at Washington, was a frequent guest and

Through a Glass Darkly

From the Trend of the Week in the Outlook of September 26, 1951

It was estimated by the market research director of the Dye Institute that over 400 tons of dyeing material was used in the past twelve months to remove the names of hotels from stolen towels and blankets.

The Zoning Commission of Metroburg, forbidding the construction of another "highest sightseeing tower in the city," declared that hereafter each new tower would be protected for six months against competition.

Two years ago, A. A. Womp, the well-known philanthropist, offered $3,000 in prizes for the best name for a hospital that he proposed to give to his native city of Centertown. Last Monday the hospital was formally opened. The name selected was the Colonel Augustus Adolphus Womp Good Samaritan Hospital.

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permitted Roosevelt to feel elated over his inadequate horsemanship. An insatiable interest in every subject under the sun made it impossible for Roosevelt, under any circumstances, to feel bored. "Do you see how the Newport cads have taken up the Duke of Marlborough?" he demanded of Lodge, as the young British nobleman was preparing to wed Consuelo Vanderbilt in return for a sizable dowry. He was never able to conceal his scorn for international marriages of this type and in 1906 he exploded to Whitelaw Reid:

> . . . . I thoroly [*sic*] dislike . . . . these international marriages . . . . which are not . . . . even matches of esteem and liking, but which are based upon the sale of the girl for her money and the purchase of the man for his title . . . . But the lowest note of infamy is reached by such a creature as this Marlborough, who, proposing to divorce the woman when *he* at least cannot afford to throw any stone at her, nevertheless proposes to keep and live on the money she brought him. Come, my dear sir, ... surely you don't object to my considering the Duke of Marlborough a cad?

Suddenly, in December, 1887, hope stirred in the breasts of Republican leaders. President Cleveland's annual message had branded the current tariff schedules as "vicious, inequitable, and illogical sources of unnecessary taxation." For a President to take so emphatic a stand on the most controversial of issues just before a campaign year was unthinkable; Cleveland's conduct constituted a horrible example to Roosevelt and he was careful to avoid this error in later years. The storm which resulted, for the President already was unpopular with the practical politicians of his party, gave the G. O. P. its first basis for optimism in long and weary months. Whom could the party nominate in 1888 now that chance of a victory loomed? The answer again came from the worshippers of James C. Blaine:

> Blaine, Blaine, the man from Maine,
> We've had him once, and we'll have him again.

"It is unfortunate, but it is true," said Roosevelt, that Blaine was still the choice of the party. He convinced himself anew that "the Republican party, and the Republican party alone" was capable of handling the financial and business problems that faced the nation. He thought that minor tariff revisions might be instituted, but the treasury surplus which worried Cleveland should be used for additional warships. So developed Roosevelt, the jingo. His interest in the political scene heightened. Curiously, since Cleveland was to renew his appointment as Civil Service Commissioner in 1893, he

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CONDITIONS OF THE *REMARKABLE REMARKS CONTEST*

☆☆☆☆☆☆

For the best Remarkable Remarks contributed by Outlook readers the Outlook will award weekly prizes of $5 for the one judged best, and $2 each for as many more as may be adjudged worthy of inclusion in the column.

Entries for each week's contest close at 12 o'clock noon on the Monday of the week preceding date of publication.

All Remarkable Remarks must be direct quotations and must be accompanied by evidence of their source. If the Remarkable Remark selected by any contributor has appeared in the press, it must be accompanied by clipped evidence, showing the author of the remark and the name and date of the publication in which it appeared. If the *Remarkable Remark has appeared in a book*, the title of the book and the name of its author, together with the number of the page upon which the Remarkable Remark is to be found, must be submitted.

All Remarkable Remarks must be accompanied by a single sentence explaining why the contributor considers the contributed remark remarkable.

In case two or more contributors submit the same Remarkable Remark which is judged worthy of any prize, the contributor whose Remarkable Remark is accompanied by the best—briefest and wittiest—explanatory sentence will be awarded the prize.

The editors of the Outlook are the sole judges of the contest and are ineligible to compete. All contributions should be sent to the Remarkable Remarks Editor.

said that the President was no true friend of the merit system, that his ruthlessness in discharging faithful government servants "would have done no discredit to Andrew Jackson . . . . he has signally failed . . . . to make good his pledges . . . ."

This time Blaine was not to win. He withdrew from consideration while the convention was in progress at Cleveland. He suggested that General Benjamin Harrison, another of the civil war military men, be nominated instead. This was done, with Levi P. Morton as the Vice Presidential choice. Although Roosevelt did not attend the convention, he watched its progress and was relieved when Harrison was nominated. He believed that Harrison was both able and honest. Roosevelt took the stump in October and November and his speeches were typical of this stage of his career. He condemned Cleveland and praised the high tariff. This was the leading issue of the campaign. Astutely, in view of America's anti-English complex in the '80's, the position of Cleveland was twisted to appear as favoring free trade. Protection was christened the "American tariff"; the other was British. The patriotism of the American people was not found wanting, and Harrison was elected.

Even the campaign had done little to lift Theodore Roosevelt out of the obscurity into which he had fallen. Yet 1888 marked, in certain ways, the beginning of the era in which he was to grow great. In March old Emperor Wilhelm died. Frederick III came to the German throne for a few brief weeks and left it to another man of destiny with a withered arm, a man less fortunate than Roosevelt. The decade that was closing would give way to one in which the United States abandoned her policy of isolation and assumed responsibilities in distant seas. Roosevelt lived in discord in the '80's, too young for the offices to which he aspired and thwarted in his ambitions, but he was to typify the imperialism, the yearning for expansion, the new American Ego, during the decade that followed.

In domestic politics the leadership was shifting. The valiants of the Stalwart and the Half-breed factions were being forgotten. Conkling was dead. Blaine, although he was to be Secretary of State, was slipping from power. Matthew S. Quay who, said Tom Platt, "invariably maintained the Pennsylvania view" in his attitude toward business, was rising. Platt, himself, was again powerful in New York. William McKinley was becoming increasingly prominent in Congress and Mark Hanna, his advocate, may well have looked upon him as the hope of the future. The Old Guard was giving ground to younger men. In time these, in their turn, would constitute still another Old Guard; and the day would come when they would meet defeat at the hands of the young man who now seemed either insignificant or amusing.

To Roosevelt, the immediate importance of Harrison's election lay in the chance of some federal appointment. He was heartily weary of private life.

•

Roosevelt's failure as the Republican candidate for Mayor of New York did not return him to political obscurity for long. When the opportunity for another fight arrived, he welcomed it with open arms. The next installment discusses Roosevelt's turbulent days as a New York Police Commissioner and tells of his efforts to destroy municipal corruption

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